

SECOND AMENDMENT TO AGREEMENT

THIS SECOND AMENDMENT TO AGREEMENT (Amendment) made and entered into as of this 1st day of April 2020, amends the Agreement heretofore entered into between the CITY OF FRESNO, a municipal corporation (City), and QUAD KNOPF, Inc., dba QK (Consultant).

RECITALS

WHEREAS, City and Consultant entered into an Agreement, dated June 14, 2019, for services related to professional environmental impact report services for Proposed Regulation and Permitting of Commercial Cannabis Activities (Agreement); and

WHEREAS, City and Consultant enter into this First Amendment dated December 31 to modify the Agreement to extend the contract term length until March 31, 2020; and

WHEREAS, the City and Consultant desire to enter into this Second Amendment to modify the Agreement to extend the contract term length until December 31, 2020 and to shift budget allocations within specific tasks.

AGREEMENT

NOW, THEREFORE, the parties agree that the Agreement be amended as follows:

1. The Agreement's term shall be extended until December 31, 2020.
2. Task specific budget allocations shall be made as shown on Exhibit A.
3. In the event of any conflict between the body of this Amendment and the Agreement, the terms and conditions of the body of this Amendment shall control and take precedence over the terms and conditions expressed within the Agreement. Furthermore, any terms or conditions contained within the Agreement which purport to modify the allocation of risk between the parties, provided for within the body of this Amendment, shall be null and void.

[Signatures follow on the next page.]

IN WITNESS WHEREOF, the parties have executed this Agreement at Fresno, California, on the day and year first above written.

CITY OF FRESNO,
A California municipal corporation

By: _____
Jennifer K. Clark, AICP
Director, Planning and Development
Department

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: Brandon M. Collet 3/15/2011
Senior Deputy City Attorney Date

ATTEST:
YVONNE SPENCE, CRM MMC
City Clerk

By: _____
Deputy Date

Addresses:
CITY:
City of Fresno
Attention: Summer Cecil
Management Analyst II
2600 Fresno Street, Suite 3065
Fresno, CA 93721
Phone: (559) 621-8166
Email: Summer.Cecil@fresno.gov

Exhibit A: Budget Reallocations

QK, Inc.

By: Ronald J. Wathen

Name: Ronald J. Wathen, PE 58690

Title: President/CEO
(If corporation or LLC., Board Chair,
Pres. or Vice Pres.)

By: Janel Freeman

Name: Janel Freeman

Title: CFO
(If corporation or LLC., CFO, Treasurer,
Secretary or Assistant Secretary)

REVIEWED BY:

Summer Cecil
Summer Cecil

CONSULTANT:

QK, Inc.
Attention: Christopher Mynk,
Project Manager
601 Pollasky Avenue, Suite 301
Phone: (559) 449-2400
FAX: n/a

EXHIBIT A: BUDGET REALLOCATIONS

Phase	Description	Project Budget	Reallocations	New Budget
1	Project Initiation	\$ 12,525.00	\$ (1,030.79)	\$ 11,495.21
2	Technical Studies	\$ 131,617.00	\$ (14,707.52)	\$ 116,909.48
3	Project Description	\$ 7,096.00	\$ -	\$ 7,096.00
4	Admin Draft EIR	\$ 73,260.00	\$ 41,863.04	\$ 115,123.04
5	Screencheck Draft EIR	\$ 1,000.00	\$ 11,930.90	\$ 12,930.90
6	Public Review Draft EIR	\$ 6,646.00	\$ (6,488.70)	\$ 157.30
7	Admin Final/Response to Comments	\$ 16,915.00	\$ (16,915.00)	\$ -
8	Screencheck Final EIR/Response to Comments	\$ 2,386.00	\$ (2,386.00)	\$ -
9	Final EIR/Response to Comments	\$ 2,662.00	\$ 19,196.40	\$ 21,858.40
10	CEQA Findings and Statements	\$ 6,959.00	\$ (6,959.00)	\$ -
11	Project Management and Meetings	\$ 21,896.00	\$ (21,286.76)	\$ 609.24
		\$ 282,963.00		
	Contingency	\$ 17,037.00		
	Contract Amount	\$ 300,000.00		