

SECOND AMENDMENT TO AGREEMENT

THIS SECOND AMENDMENT TO PROJECT LABOR AGREEMENT (Amendment) made and entered into as of this _____ day of _____ 2022, amends the Project Labor Agreement entered into between the City of Fresno, a municipal corporation (City), and the Fresno, Madera, Tulare, Kings Building and Construction Trades Council (Council) and all of its affiliate signatory craft councils and unions (collectively, Union or Unions).

RECITALS

WHEREAS, the City and the Council entered into a Project Labor Agreement, on December 15, 2016, to complete certain public works projects funded by the Transformative Climate Communities program (Agreement); and

WHEREAS, the City and the Council amended the Agreement, on August 10, 2017, to include a side letter for the Sheet metal and Air Conditioning Contractors National Association's Sacramento Valley Chapter, Northern San Joaquin Chapter and Central Valley Chapter and a side letter for the International Union of Ironworkers and Sheet Metals Workers' International Association, Local Union No. 162; and

WHEREAS, the City and the Council desire to extend the Agreement until July 3, 2024, in accordance with the expiration of the Transformative Climate Communities grant agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the above recitals, which recitals are contractual in nature, the mutual premises herein contained, and for other good and valuable consideration hereby acknowledge, the parties agree that the aforesaid Agreement be amended.

1. The Agreement shall be extended to July 3, 2024, in accordance with the Transformative Climate Communities grant agreement.

2. In the event of any conflict between the body of this Amendment and any exhibit or attachment hereto, the terms and conditions of the body of this Amendment shall control and take precedence over the terms and conditions expressed within the exhibit or attachment. Furthermore, any terms or conditions contained within any exhibit or attachment hereto which purport to modify the allocation of risk between the parties, provided for within the body of this Amendment, shall be null and void.

3. Except as otherwise provided herein, the Agreement entered into December 15, 2016, and amended on August 10, 2017, remains in full force and effect.

[Signatures follow on the next page.]

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

CITY OF FRESNO,
A California municipal corporation

FRESNO, MADERA, TULARE, KINGS
BUILDING & CONSTRUCTION
TRADES COUNCIL

By: _____
Georgeanne A. White
City Manager

By: Chuck Riojas
DocuSigned by: 210F4B1F1AE348B...

Name: Chuck Riojas

APPROVED AS TO FORM:
RINA M. GONZALES
Interim City Attorney

Title: Executive Director

By: Brandon Collet 7/22/2022
DocuSigned by: TCFC5444CAA64DB...
Brandon M. Collet Date
Supervising Deputy City Attorney

ATTEST:
TODD STERMER, CMC
City Clerk

By: _____
Deputy Date