

## **SECOND AMENDMENT TO AGREEMENT**

THIS SECOND AMENDMENT TO AGREEMENT (Amendment) made and entered into as of this \_\_\_ day of December, 2022, amends the Agreement heretofore entered into between the CITY OF FRESNO, a municipal corporation (City), and STANTEC CONSULTING SERVICES, INC., (Consultant). City and Consultant are collectively referred to as the "Parties."

### **RECITALS**

WHEREAS, City and Consultant entered into an Agreement, dated December 14, 2018, for professional Grant Writing and Planning services for the Environmental Protection Agency Brownfields Grant application and implementation assistance, (Project); and

WHEREAS, City and Consultant entered into a First Amendment, dated June 10, 2021, to increase the scope of work by requiring additional services beyond those services referenced in the Project with no increase in the contract amount; and

WHEREAS, City and Consultant desire to increase the scope of work by requiring additional services beyond those services referenced in the Project increase the scope of work, extending the contract performance period to January 31, 2026, and authorizing additional compensation in the amount up to \$100,000.

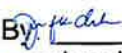
### **AGREEMENT**

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

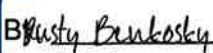
1. Consultant shall provide additional services as described in Attachment A, attached hereto and incorporated herein by reference.
2. In the event of any conflict between the body of this Amendment and any Exhibit or Attachment hereto, the terms and conditions of the body of this Amendment shall control 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 by City and Consultant, dated December 14, 2018, and amended on June 10, 2021, remain in full force and effect.

**[Signatures follow on the next page.]**

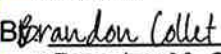
**CITY OF FRESNO,  
A California municipal corporation**

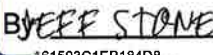
DocuSigned by:  
By:  12/6/2022  
7468...  
**Jennifer K. Clark, AICP**  
Director, Planning and Development  
Department

**STANTEC CONSULTING SERVICES, INC.,**

DocuSigned by:  
By:  12/5/2022  
06588B3018DB4E8...  
**Rusty Benkosky**  
Name: \_\_\_\_\_  
Title: Vice President Regional Business Leader- US West  
(If corporation or LLC., Board Chair,  
Pres. or Vice Pres.)

**APPROVED AS TO FORM:  
RINA GONZALES  
Interim City Attorney**

DocuSigned by:  
By:  12/6/2022  
1C...  
**Brandon M. Collet** Date  
Supervising Deputy City Attorney

DocuSigned by:  
By:  12/6/2022  
161503C1EB184D8...  
**Jeff Stone**  
Name: Jeff Stone  
Vice President & Assistant  
Title: Secretary  
(If corporation or LLC., CFO, Treasurer,  
Secretary or Assistant Secretary)

**ATTEST:  
TODD STERMER, CMC  
City Clerk**

By: \_\_\_\_\_ Date  
Deputy

**REVIEWED BY:**

  
Dalton Bennett

**Addresses:  
CITY:  
City of Fresno  
Attention: Dalton Bennett,  
Projects Administrator  
2600 Fresno Street, Suite 3065  
Fresno, CA 93721  
Phone: (559) 621-8039  
Email: Dalton.Bennett@fresno.gov**

**CONSULTANT:  
Stantec Consulting Services, Inc.,  
Attention: Neil Doran  
Principal  
3875 Atherton Road  
Rocklin, CA 95765  
Phone: (916) 472-3933  
FAX: (916) 773-8448**

**Exhibit C**

**DISCLOSURE OF CONFLICT OF INTEREST**

[Project Title]  
PROJECT TITLE

		YES*	NO
1	Are you currently in litigation with the City of Fresno or any of its agents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	Do you represent any firm, organization or person who is in litigation with the City of Fresno?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Do you currently represent or perform work for any clients who do business with the City of Fresno?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4	Are you or any of your principals, managers or professionals, owners or investors in a business which does business with the City of Fresno, or in a business which is in litigation with the City of Fresno?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5	Are you or any of your principals, managers or professionals, related by blood or marriage to any City of Fresno employee who has any significant role in the subject matter of this service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6	Do you or any of your subcontractors have, or expect to have, any interest, direct or indirect, in any other contract in connection with this Project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
* If the answer to any question is yes, please explain in full below.			

Explanation: \_\_\_\_\_  
na

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Additional page(s) attached.

DocuSigned by:  
*Rusty Benkosky*  
Signature

12/5/2022

\_\_\_\_\_  
Date

Rusty Benkosky  
\_\_\_\_\_  
(name)  
Stantec

\_\_\_\_\_  
(company)  
555 Capital Mall

\_\_\_\_\_  
(address)  
Sacramento, Ca 95814

\_\_\_\_\_  
(city state zip)