

FIFTH AMENDMENT TO AGREEMENT

THIS FIFTH AMENDMENT TO AGREEMENT (Fifth Amendment) made and entered into as of November 17, 2022, amends the Agreement entered into between the City of Fresno, a California municipal corporation (City), and Raimi + Associates, Inc., a California corporation (Consultant).

RECITALS

WHEREAS, City and Consultant entered into an agreement, dated June 22, 2017 for professional services for environmental planning of the Central Southeast Specific Plan (Agreement); and

WHEREAS, City and Consultant entered into a first amendment, dated June 30, 2019, to extend the contract term length (First Amendment); and

WHEREAS, City and Consultant entered into a second amendment, dated June 30, 2020, to extend the contract term length (Second Amendment); and

WHEREAS, City and Consultant entered into a third amendment, dated April 22, 2021, to extend the contract term length (Third Amendment); and

WHEREAS, City and Consultant entered into a fourth amendment, dated December 9, 2021, to increase the scope of work and extend the contract term length (Fourth Amendment); and

WHEREAS, City and Consultant desire to modify the Agreement to extend the contract term to June 30, 2023.

AGREEMENT

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

1. The Term of Agreement and Time for Performance shall be extended to June 30, 2023.

2. In the event of any conflict between the body of this Fifth Amendment and the Agreement, the terms and conditions of the body of this Fifth 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 Fifth Amendment, shall be null and void.

3. Except as otherwise provided herein, the Agreement and the First, Second, Third, and Fourth Amendments remain in full force and effect.

[Signatures follow on the next page.]

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

CITY OF FRESNO,
A California municipal corporation

RAIMI + ASSOCIATES, INC.,
A California corporation

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

By: Matthew D. Raimi

Name: Matthew D. Raimi

Title: President + CEO

(If corporation or LLC., Board Chair,
Pres. or Vice Pres.)

APPROVED AS TO FORM:
Rina M. Gonzales
Interim City Attorney

By: Simran Malhotra

By: Pauline Brickey 11/17/22
Pauline Brickey Date
Deputy City Attorney

Name: Simran Malhotra

Title: Vice - President

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

ATTEST:
TODD STERMER, CMC
City Clerk

REVIEWED BY:

By: _____
Deputy Date

Dalton L. Bennett

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

CONSULTANT:
Raimi + Associates
Attention: Matt Raimi,
Principal
2000 Hearst Ave, Suite 400
Berkeley, CA 94709
Phone: 510-200-0520
Email: Matt@raimiassociates.com