

**AMENDMENT NO. 1 TO AGREEMENT  
FOR CONTRACT SERVICES BETWEEN  
THE CITY OF FRESNO AND MESA ENERGY SYSTEMS, INC.**

THIS AMENDMENT NO. 1 TO AGREEMENT (Amendment), is made and entered into effective December, 10<sup>th</sup>, 2020, by and between the CITY OF FRESNO, a California municipal corporation (CITY), and Mesa Energy Systems, Inc., a California corporation (CONTRACTOR).

**RECITALS**

WHEREAS, CITY and CONTRACTOR entered into an agreement, dated October 19, 2018, incorporated herein (Agreement), for Public Work of Improvement Job Order Contract; and

WHEREAS, the parties desire to extend the term provided in the Agreement for (1) additional Option Term; and

WHEREAS, the parties desire to increase the Maximum Contract Value of the Agreement to \$6,000,000.

**AGREEMENT**

NOW THEREFORE, in consideration of the above recitals, which recitals are contractual in nature, the mutual promises herein contained, and for other good and valuable consideration hereby acknowledged, the parties agree as follows:

1. Effective upon execution of this Amendment, (1) additional Option Term will be added to the original agreement dated October 19, 2018.
2. Effective upon execution of this Amendment, the Maximum Contract Value will be increased to \$6,000,000.
3. All capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the Agreement.
4. 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.
5. Except as otherwise provided herein, the Agreement entered into by CITY and CONSULTANT, dated October 19, 2018, remains in full force and effect.

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

CITY OF FRESNO,  
a California municipal corporation

MESA ENERGY SYSTEMS, INC.,  
A California corporation

By: \_\_\_\_\_  
Kevin Meikle  
Director of Aviation

DocuSigned by:  
By: Robert Lake 11/23/2020  
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Name: Robert A. Lake

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

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

DocuSigned by:  
By: Brandon Collet 11/23/2020  
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Brandon M. Collet Date  
Senior Deputy

DocuSigned by:  
By: Stephen P. Hunt 11/23/2020  
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Name: Stephen P. Hunt

ATTEST:  
YVONNE SPENCE, MMC CRM  
City Clerk

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

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

Addresses:

CITY:  
City of Fresno  
Attention: Richard L. Madrigal  
4995 East Clinton Way  
Fresno, CA 93727  
Phone: (559) 621-4528

CONTRACTOR:

Mesa Energy Systems, Inc.  
Attention: Rod Galvin  
3980 N. Chestnut Diagonal, Suite 101  
Fresno, CA 93722  
Phone: 559 277-7900  
FAX: 559 277-4920