

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT (Amendment) made and entered into effect the _____ day of _____ 2018, (Effective Date), amends the Agreement entered into between the CITY OF FRESNO, a California municipal corporation (City), and CDM Smith, Inc., a Massachusetts Corporation (Consultant).

RECITALS

WHEREAS, the City and the Consultant entered into an Agreement on June 7, 2016, (Agreement) to provide professional consulting services for the Fresno Sanitary Landfill Superfund Site, Phase 3 Groundwater Remedial Action (Project) for a total fee of \$464,700; and

WHEREAS, the parties have negotiated an increase of \$56,700 in the Consultant's compensation for services related to the Project; and

WHEREAS, the City and the Consultant desire to extend the Agreement to December 31, 2018, to complete Project; and

WHEREAS, with entry into this Amendment, the Consultant agrees it has no claim, demand, or dispute against the City.

AGREEMENT

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

1. The Consultant's sole compensation for satisfactory performance of the Project pursuant to this Amendment will be \$56,700. Compensation includes all expenses incurred by the Consultant in performance of such services. Total Consultant Project cost pursuant to this Amendment is \$521,400.

2. The Agreement shall be extended to December 31, 2018.

3. Except as otherwise provided herein, the Agreement entered into the City and the Consultant on June 7, 2016, remains in full force and effect.

[SIGNATURES FOLLOW ON 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 municipal corporation

CDM Smith, Inc.,
A Massachusetts Corporation

By: _____
Thomas C. Esqueda,
Director of Public Utilities

By: _____
Name: Servando Molina

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

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

By: Brandon M. Collet 1/22/18
Deputy City Attorney

By: _____
Name: HACA 2 - T. Lys

ATTEST:
YVONNE SPENCE, CMC
City Clerk

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

By: _____
Date

Addresses:
CITY:
City of Fresno
Attention: Rosa Lau-Staggs
Wastewater Manager
5607 W Jensen Avenue
Fresno, CA 93706
Phone: (559) 621-5130
FAX: (559) 498-1700

CONSULTANT:
CDM Smith, Inc.
Attention: John (Yash) Nyznyk,
Associate
2300 Clayton Road, Suite 950
Concord, CA 94520
Phone: (925) 296-8065
FAX: (925) 933-4174