

SIXTH AMENDMENT TO AGREEMENT

THIS SIXTH AMENDMENT TO AGREEMENT (Amendment) made and entered into as of this 13th day of October, 2022, amends the Agreement heretofore entered into between the CITY OF FRESNO, a municipal corporation (City), and ASCENT ENVIRONMENTAL, INC., (Consultant). City and Consultant are collectively referred to as the "Parties."

RECITALS

WHEREAS, City and Consultant entered into an Agreement, dated November 29, 2018, for professional Environmental Consulting services for the South Industrial Priority Area (SIPA) Specific Plan Environmental Impact Report, now recognized as the South Central Specific Plan Environmental Impact Report, (Project); and

WHEREAS, City and Consultant entered into First Amendment, dated November 14, 2019, to increase the scope of work by requiring additional services beyond those services referenced in the Project; and

WHEREAS, City and Consultant entered into Second Amendment, dated December 10, 2019, to increase the scope of work by requiring additional services beyond those services referenced in the Project; and

WHEREAS, City and Consultant entered into Third Amendment, dated January 1, 2020, to increase the scope of work by requiring additional services beyond those services referenced in the Project; and

WHEREAS, City and Consultant entered into Fourth Amendment, dated December 10, 2020, to increase the scope of work by requiring additional services beyond those services referenced in the Project; and

WHEREAS, City and Consultant entered into Fifth Amendment, dated May 13, 2021, to increase the scope of work by requiring additional services beyond those services referenced in the Project and to increase the total compensation for satisfactory performance; and

WHEREAS, City and Consultant desire to extend the contract performance period to December 31, 2023, and to increase the total contract amount to \$991,401.26 to accomplish the services as referenced in previous amendments and in the Project.

AGREEMENT

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

1. Contract performance period shall be extended to December 31, 2023.

2. Consultant's sole compensation for satisfactory performance of all services required or rendered pursuant to this Amendment shall be a total fee of \$991,401.26 as described in Attachment "A".

3. 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.

4. Except as otherwise provided herein, the Agreement entered into by City and Consultant, dated November 29, 2018, and amended on November 19, 2019, December 10, 2019, January 1, 2020, December 10, 2020, and May 13, 2021 remain in full force and effect.

[Signatures follow on the next page.]

CITY OF FRESNO,
A California municipal corporation

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

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

DocuSigned by:
By: Brandon M. Collet 10/4/2022
Brandon M. Collet Date
Supervising Deputy
City Attorney

ATTEST:
Todd Stermer, CMC
City Clerk

By: _____
Deputy Date

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

ASCENT ENVIRONMENTAL, INC.,

By: Sydney Coatsworth
Sydney Coatsworth (Oct 4, 2022 13:03 PDT)

Name: Sydney Coatsworth

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

By: Amanda Olekszul
Amanda Olekszul (Oct 4, 2022 10:26 PDT)

Name: Amanda Olekszul

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

REVIEWED BY:

DocuSigned by:
Dalton L. Bennett 10/4/2022
Dalton L. Bennett

CONSULTANT:
Ascent Environmental, Inc.
Attention: Chris Mundhenk,
Principal
455 Capitol Mall, Suite 300
Sacramento, CA 95814
Phone: 916-444-7301
FAX: 916-444-3927

Attachment A – Scope of Services and Timeline

City of Fresno - Ascent - 6th Amendment (003) - Oct 2022

Final Audit Report

2022-10-04

Created:	2022-10-04
By:	Tasha Hengl (Tasha.Hengl@ascentenvironmental.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAe40oiWdtUxwi-vc_qAtyexOjceErXBSd

"City of Fresno - Ascent - 6th Amendment (003) - Oct 2022" History

-  Document created by Tasha Hengl (Tasha.Hengl@ascentenvironmental.com)
2022-10-04 - 1:42:13 PM GMT- IP address: 69.4.157.37
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Signature Date: 2022-10-04 - 5:26:54 PM GMT - Time Source: server- IP address: 207.183.245.122
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2022-10-04 - 5:26:56 PM GMT
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2022-10-04 - 5:27:03 PM GMT- IP address: 40.94.25.126
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2022-10-04 - 8:02:59 PM GMT- IP address: 207.183.245.122
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Signature Date: 2022-10-04 - 8:03:01 PM GMT - Time Source: server- IP address: 207.183.245.122
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2022-10-04 - 8:03:01 PM GMT

