

SECOND AMENDMENT TO AGREEMENT

THIS SECOND AMENDMENT TO AGREEMENT (Amendment) made and entered into as of this ____ day of _____, 2019, amends the Agreement entered into between the CITY OF FRESNO, Fresno Area Express (FAX), a municipal corporation (City), and California State University, Fresno (FSU).

RECITALS

WHEREAS, City and FSU entered into a Transit Agreement dated August 3, 2017, for FAX to provide transit services for FSU students, faculty, and staff (Agreement); and

WHEREAS, the parties entered into a First Amendment to Agreement on August 27, 2018, for the purpose of extending the term of the agreement; and

WHEREAS, City and FSU now desire to further extend the term of the Agreement with this Second Amendment.

AMENDMENT

NOW, THEREFORE, the Parties hereby agree the Agreement is amended as follows:

1. Section 3 of the Agreement is revised so the Term of the Agreement is August 3, 2017, through October 31, 2020.

2. This Amendment shall become part of and subject to the terms and conditions of the Agreement, which except as modified herein, remains unchanged and in full force and effect.

3. Should any term or condition expressly set forth in this Amendment conflict with the terms and conditions of the Agreement, the terms and conditions expressly set forth in this Amendment will prevail.

4. By signing below, the undersigned certify that they have read and understand, and agree to be legally bound by, this Amendment.

[Signatures follow on the next page.]

IN WITNESS WHEREOF, the Parties have executed this First Amendment to Agreement at Fresno, California, on the day and year first above written.

CITY OF FRESNO,
a California municipal corporation

CALIFORNIA STATE UNIVERSITY,
FRESNO

By: _____
Gregory Barfield, Director of
Transportation

By: _____
Brian Cotham, Director of
Procurement

Date: _____

Date: 9/10/19

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____

Name: _____

By: _____
Amanda B. Freeman
Senior Deputy City Attorney

Title: _____

Date: 9/25/19

Date: _____

ATTEST:
YVONNE SPENCE, CRM MMC
City Clerk

By: _____

Deputy
Date: _____