

<u>District</u> 06	<u>County</u> FRE	<u>Route</u> 99	<u>Post Mile</u> 23.5/26.7	<u>Project ID No.</u> 0612000287	<u>EA</u> 2HT101
Federal Aid No.: N/A					
Owner's File: STATE'S UTILITY PLANS – WATER/SEWER					
FEDERAL PARTICIPATION:		On the Project	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
		On the Utilities	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

**SECOND AMENDMENT TO UTILITY AGREEMENT NO. 06-1398.15**

**WHEREAS**, the State of California, acting by and through its Department of Transportation, hereinafter called STATE and City of Fresno, hereinafter called OWNER, have entered into that certain Utility Agreement No. 06-1398.15, dated December 17, 2015, which Agreement sets forth the terms and conditions pursuant to which OWNER maintains and owns sewer and water facilities that cross Highway 99 within the limits of STATE's project for the California High Speed Rail (CHSR) project and which requires relocation and/or modification to accommodate STATE's project.

**WHEREAS**, in the performance of said work, increased costs over and above those estimated at the time of the execution of said Agreement were incurred due to the fact that the original estimate underestimated for the wet ties work on the water facilities.

**WHEREAS**, it has been determined that, since final costs have overrun the amount shown in said Agreement by 58.03%, and when the increased cost exceeds by 25% the estimated amount set forth in said Agreement, said Agreement shall be amended to show the increased cost of the work to the STATE; and,

**WHEREAS**, the estimated cost to the STATE of the work to be performed under said Agreement was \$285,990.81, and by reason of the increased costs referred to above, the amended estimated cost to the STATE is \$451,963.22.

**NOW, THEREFORE**, it is agreed between the parties as follows:

1. The estimated cost to the STATE of \$285,990.81 as set forth in said Agreement is hereby amended to read \$451,963.22.
2. All other terms and conditions of said Agreement remain unchanged.

# AMENDMENT TO UTILITY AGREEMENT (Cont.)

EXHIBIT  
13-EX-24 (REV 1/2014)  
Page 2 of 2

UTILITY AGREEMENT NO.  
06-1398.15

CERTIFICATION OF FUNDS				
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure shown here.				
HQ Accounting Officer				Date
ITEM	CHAP	STAT	FY	AMOUNT

FUND TYPE	EA	AMOUNT
Design Funds		\$
Construction Funds		\$
RW Funds	0612000287	\$165,972.41

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to Utility Agreement No. 06-1398.15 this \_\_\_ day of August, 2019.

STATE: DEPARTMENT OF TRANSPORTATION

OWNER: CITY OF FRESNO

By \_\_\_\_\_  
ROSA RUBALCABA  
Office Chief, Right of Way  
Date

By Andrew J. Benelli 9/3/2019  
ANDREW J. BENELLI, PE  
Assistant Public Works Director  
Date

APPROVAL RECOMMENDED:

By \_\_\_\_\_  
TERESA CERDA  
Utility Coordinator, Right of Way  
Date

By Jesus C. P.E. 9/3/19  
RANDALL MORRISON, PE  
Deputy City Engineer  
Jesus Avitia  
Date

## DO NOT WRITE BELOW - FOR ACCOUNTNG PURPOSES ONLY

PLANNING AND MANAGEMENT TO COMPLETE UNSHADED FIELDS:

										UTILITY COMPLETES:		
T CODE	DOCUMENT NUMBER	SUF FIX	DIST	UNIT	CHG DIST	EA	SUB JOB	SPECIAL DESIGNATION	FFY	FA	OBJ CODE	DOLLAR AMOUNT
	UA										054	
	UA										054	

EA FUNDING VERIFIED:	REVIEW/REQUEST FUNDING:
Sign:>	Sign>
Print> R/W Planning and Management	Print> Utility Coordinator
Date	Date

Distribution: 2 originals to R/W Accounting  
1 original to Utility Owner  
1 original to File

ADA Notice

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