

### THIRD AMENDMENT TO AGREEMENT

THIS THIRD AMENDMENT TO AGREEMENT (Amendment) made and entered into as of this \_\_\_\_ day of \_\_\_\_\_ 20\_\_, amends the Agreement entered into between the CITY OF FRESNO, a municipal corporation (City), and Integrated Designs by SOMAM, a California corporation (Consultant).

#### RECITALS

City and Consultant entered into an Agreement, dated October 20, 2017, for professional Architectural services for the design of plans and general construction contract documents for the ADA Upgrades for the City of Fresno Convention Center, (Agreement); and

Consultant has completed Part Four of the Agreement and is working on Part Five – Construction Contract Administration of the Agreement; and

Consultant has completed the additional scope of services per the First Amendment to Agreement dated December 31, 2018; and

Consultant is working on the additional scope of services per the Second Amendment to Agreement dated October 31, 2019; and

City and Consultant now desire to modify the scope of work, therein, by requiring additional services.

#### AGREEMENT

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

1. Consultant shall provide additional services as described in **Attachment A**, attached hereto and incorporated herein by reference. Such additional services shall be completed within 30 days following execution of this Amendment by both parties.

2. Consultant's sole compensation for satisfactory performance of all services required or rendered pursuant to this Amendment shall be a total fee of \$12,760.00.

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 October 20, 2017, and amended on December 31, 2018, and October 31, 2019, remain in full force and effect.

[Signatures follow on the 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 California municipal corporation

By: \_\_\_\_\_  
William C. Herr  
Assistant Director  
Public Works Department

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

By: Brandon M. Collet 1/8/2020  
Date  
Senior Deputy City Attorney

ATTEST:  
YVONNE SPENCE, CRM MMC  
City Clerk

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

Addresses:  
CITY:  
City of Fresno  
Attention: Debbie Bernard  
Project Manager  
2101 'G' Street, Bldg. C  
Fresno, CA. 93706-1620  
Telephone No. 559-621-1201  
FAX: 559-457-1517

Attachment: Attachment A

Integrated Designs by SOMAM, a  
California corporation,

By: [Signature]

Name: SHARON ASHIDA

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

By: [Signature]

Name: PETER MOGENSEN

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

REVIEWED BY:

[Signature]  
Debbie Bernard  
Project Manager

CONSULTANT:  
Integrated Designs by SOMAM, Inc.  
Attention: Pete Mogensen, AIA,  
Vice President  
6011 N. Fresno Street, Suite 130  
Fresno, CA 93710  
Telephone No. (559) 436-0881  
FAX: (559) 436-0887

## **Attachment A**

### **ADDITIONAL SCOPE OF SERVICES**

**Consultant Service Third Amendment to Agreement between City of Fresno (City) and Integrated Designs by SOMAM, Inc. (Consultant)**

#### ADA Upgrades for the City of Fresno Convention Center

During a pre-proposal walk of the Saroyan Theater Seating ADA Upgrade it was determined that modifications were required to the drawings to address a new path of travel. It was also discovered that additional modifications to the Mechanical and Electrical systems were warranted. The specified companion seating will also be researched therefore providing additional options/configurations for the Owner to choose from.

This additional scope of work shall be completed to the point of submission to the Building & Safety Division for review within 30 days following execution of this Amendment by both parties.