

SECOND AMENDMENT TO AGREEMENT

This SECOND AMENDMENT TO AGREEMENT (Amendment) made and entered into as of this ____ day of _____, 2024 (Effective Date), amends the Agreement entered into by and between the City of Fresno, a California municipal corporation (City), and Superion LLC, a CentralSquare Technologies, LLC company (Provider)

RECITALS

- A. WHEREAS, On June 13, 2019, Council approved a Solutions Agreement with Superion LLC (Now CentralSquare) to renew annually for 5 years; and
- B. WHEREAS, City and Provider entered into an agreement dated April 1st, 2019, (the Agreement) to December 31st, 2023, for compensation not to exceed \$225,000; and
- C. WHEREAS, City and Provider previously amended the Agreement on January 21st, 2020, to change the payment terms and fee schedule; and
- D. WHEREAS, City and Provider now desire to amend the Agreement to extend between January 1st, 2024, to January 31st, 2024, for compensation not to exceed \$234,551.88; and
- E. WHEREAS, with entry into this Agreement, the Provider 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 recitals of this Amendment are incorporated and made a part of the Agreement.
- 2. Provider shall provide the services as described in **Attachment A**, attached hereto and incorporated herein by reference.
- 3. The term of the Agreement shall renew on January 1st, 2024, and extend to January 31st, 2024.
- 4. Compensation. The parties acknowledge the total compensation provided in the Agreement is hereby increased to \$234,551.88.
- 5. Except as expressly modified by this Amendment, the Agreement remains in full force and effect. In the event of any conflict between the Agreement and this Amendment, this Amendment shall control.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have executed this Amendment on the date set forth above.

CITY OF FRESNO,
a California municipal corporation

CentralSquare Technologies,,
a Delaware limited liability company

By: _____

By: DocuSigned by:
Ron A. Anderson

Name: Ron A. Anderson

Title: Chief sales officer
(If corporation or LLC., Board Chair,
Pres. or Vice Pres.)

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: Christine C. Charitar 12/7/23
Christine C. Charitar Date
Deputy City Attorney

By: DocuSigned by:
Barry Medintz

Name: Barry Medintz

Title: General Counsel and Corporate Secretary
(If corporation or LLC., CFO, Treasurer,
Secretary or Assistant Secretary)

ATTEST:
TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

Attachment: Exhibit A – Renewal Order
Exhibit B – Solutions Agreement
Exhibit C – First Amendment to Agreement



Andrew Janz
City Attorney

December 18, 2023

MEMORANDUM

TO: Todd Stermer, CMC
CITY CLERK

RE: Technical Correction to item 1.Q- File ID No. 23-1808 on the December 14, 2023, Regular Meeting of the City of Fresno

1. The item approved by Council lists the incorrect end date for an extension. The staff report mentions a yearlong extension, and the invoice from CentralSquare has the extended term date listed as January 1, 2024, to December 31, 2024; however, the approved amendment incorrectly lists the end date as January 31, 2024, instead. As such, please replace the amendment with the amendment attached hereto as Exhibit A.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Christine C. Charitar".

Christine C. Charitar
Deputy City Attorney

c: Andrew Janz, City Attorney
Raj Singh Badhesha, Chief Assistant

Attachment: Exhibit A

EXHIBIT A

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By: DocuSigned by:
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3E55C450A04BEE

Name: Ron A. Anderson

Title: chief sales officer
(If corporation or LLC., Board Chair,
Pres. or Vice Pres.)

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: Christine C. Charitar 12/7/23
Christine C. Charitar Date
Deputy City Attorney

By: DocuSigned by:
Barry Medintz
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Name: Barry Medintz

Title: General Counsel and Corporate Secretary
(If corporation or LLC., CFO, Treasurer,
Secretary or Assistant Secretary)

ATTEST:
TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

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Exhibit B – Solutions Agreement
Exhibit C – First Amendment to Agreement