

## **FIRST AMENDMENT TO AGREEMENT**

THIS FIRST AMENDMENT TO AGREEMENT (Amendment) made and entered into as of this 25th day of July 2023, (Effective Date) amends the Agreement entered into between the CITY OF FRESNO, a California municipal corporation (City), and PCUBED ASSOCIATES INCORPORATED, a California Corporation (Consultant).

### **RECITALS**

WHEREAS, City and Consultant entered into an agreement, dated June 21, 2021 (Agreement) to provide professional engineering services for Forensic Investigation of Structural Components at Fresno-Clovis Regional Wastewater Reclamation Facility for a total fee not to exceed \$117,300, and a contingency amount not to exceed \$11,730; and

WHEREAS, the City and the Consultant desire to extend the Agreement to December 31, 2024, to retain the Consultant's services through project completion; and

WHEREAS, with entry into this Amendment, Consultant agrees that Consultant has no claim, demands, or disputes against City.

### **AGREEMENT**

NOW, THEREFORE, the City and the Consultant agree that the aforesaid Agreement be amended as follows:


1. Section 2 of the Agreement is amended in its entirety to read as follows:

“2. Term of Agreement and Time for Performance. This Agreement shall be effective from the date first set forth above and shall continue in full force and effect through the earlier of complete rendition of the services hereunder or December 31, 2024, subject to any earlier termination in accordance with this Agreement. The services of Consultant as described in **Exhibit A** are to commence upon CITY'S issuance of a written "Notice to Proceed." Work shall be undertaken and completed in a sequence assuring expeditious completion, but in any event, all such services shall be completed within 1290 consecutive calendar days from such authorization to proceed.”
2. This Amendment shall have an Effective Date of July 25, 2023.
3. Except as otherwise provided herein, the Agreement entered into by the City and the Consultant on June 21, 2021, remain in full force and effect.


[SIGNATURES FOLLOW ON THE NEXT PAGE.]

IN WITNESS WHEREOF, the CITY and the Consultant have executed this Amendment at Fresno, California, the day and year first above written.

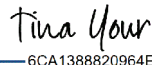
CITY OF FRESNO,  
A municipal corporation

By:  8/22/2023  
DocuSigned by: 850A517DB3DD42F...  
Brock D. Bucne, PE, PLS, Director  
Department of Public Utilities

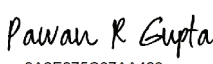
APPROVED AS TO FORM:  
ANDREW JANZ  
City Attorney

By:  7/24/2023  
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Brandon M. Collet Date  
Supervising Deputy City Attorney

ATTEST:  
TODD STERMER, CMC  
City Clerk

By:  8/22/2023  
DocuSigned by: 6CA1388820964E3...  
Date  
Deputy

PCUBED ASSOCIATES, INC.,  
A California corporation

By:  7/21/2023  
DocuSigned by: 9A2E275C67AA423...  
Name: Pawan R Gupta

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

By:  7/21/2023  
DocuSigned by: 41D4CCB29CA8408...  
Name: Prabha Gupta

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