

**FIRST AMENDMENT TO
PLAN REVIEW AND CONSTRUCTION
MANAGEMENT SERVICES AGREEMENT**

This First Amendment to Plan Review and Construction Management Services Agreement (Amendment) is effective as of 10/13, 2022, (the Effective Date) and entered into by and between the City of Fresno, a municipal corporation (City), and Tutor Perini/Zachary/Parsons, as a Joint Venture (Contractor).

RECITALS

- A. City and Contractor are parties to that certain Plan Review and Construction Management Services Agreement, dated June 25, 2019 (the Agreement).
- B. Pursuant to the Agreement, City provides plan review and construction management services (Services) to Contractor and may do so for compensation not to exceed \$1.8 million; the Agreement is set to terminate on December 31, 2022.
- C. In accordance with Sections 4 and 25 of the Agreement, City and Contractor now desire to amend the Agreement to increase the total compensation and extend the term, as set forth below.

AGREEMENT

NOW, THEREFORE, in consideration of the above recitals, which recitals are contractual in nature, the mutual promises herein contained, and for other good and valuable consideration hereby acknowledged, the parties agree that the aforesaid agreement be amended as follows:

- 1. **Compensation; Additional Funds.** The parties acknowledge that total compensation beyond \$1.8 million is required for the City to continue to provide Services under the Agreement; the compensation (not to exceed \$1.8 million), as set forth in Section 4 of the Agreement, is hereby increased by an additional \$1.8 million, for total compensation not to exceed \$3.6 million.
- 2. **Term.** The term of the Agreement, as set forth in Section 3 thereof, is hereby extended to March 31, 2024.
- 3. **Effect of Amendment.** Except as expressly modified by this Amendment, the Agreement is hereby reaffirmed and ratified. 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 Agreement on the date set forth above.

CITY OF FRESNO,
a California municipal corporation

TUTOR PERINI, ZACHARY, and
PARSONS, a Joint Venture

By: _____
Georgeanne A. White, City Manager

By: _____

Name: Ghassan Arigat

APPROVED AS TO FORM:
RINA M. GONZALES
Interim City Attorney

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

By: Pauline Bumpay 10/13/22
for Raj Singh Badhessa Date
Assistant City Attorney

By: _____

Name: _____

ATTEST:
TODD STERMER, CMC
City Clerk

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

By: _____
Deputy

REVIEWED BY:

By: Jesus Avitia, P.E.
Jesus Avitia, PE
Deputy City Engineer
Department of Public Works