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FOURTH AMENDMENT
TO AGREEMENT

THIS FOURTH AMENDMENT TO AGREEMENT (Amendment) made and entered the day of _____(Effective Date), amends the Consultant Services Agreement entered into between the CITY OF FRESNO, a California municipal corporation (City), and BKF Engineers, a California Corporation (Consultant), dated January 22, 2019 (the Agreement).

RECITALS

WHEREAS, the City and the Consultant entered into the Agreement for professional engineering services for the design of plans and general construction contract documents for the Mid-Town Trail, Segments 1 and 3; and

WHEREAS, the City and the Consultant entered into a First Amendment to the Agreement on February 2, 2021, in the amount $28,363 for additional design services for Segment 1 ($19,144) and Segment 3 ($9,219); and

WHEREAS, the City and the Consultant entered into a Second Amendment to the Agreement on February 12, 2021, for no increase to the contract amount but reallocated the consultant's budget, for additional design services for Segment 1; and

WHEREAS, the City and the Consultant entered into a Third Amendment to the Agreement on June 11, 2021, in the amount $58,418.23 for increased scope of work due to existing soil conditions identified by the geotechnical report and coordination and access requirements presented by the FID; and

WHEREAS, the City and the Consultant have negotiated a revised Scope of Services with an addition of tasks and related increase of the total fee for Consultant's compensation for services related to the Project; and

WHEREAS, the City has reviewed the Segment 3 project, and has determined some projects requirement and coordination are beyond the scope of the Agreement and the City has determined a need for an amendment to the Agreement; and

WHEREAS, the City desires to modify the scope of work of the Agreement to address the out-of-scope requirements and additional coordination and provide payment thereof in the amount of $155,550, including $7,778 in additional contingency, bringing the total contract amount to $333,143 with $8,195 in remaining contingency; and

WHEREAS, the original Agreement was missing the signed Disclosure of Conflict of Interest;

AGREEMENT

NOW, THEREFORE, the City and the Consultant amend that the Agreement as follows:

1. The Consultant's scope of work is modified to distribute actions and deliverables as specified in **Exhibit A.**

2. The compensation for this scope of work is $155,550, including $7,778 in additional contingency, bringing the total contract amount to $333,143 with $8,195 in remaining contingency for satisfactory performance of the Project.

3. Exhibit C to the original Agreement is hereby replaced by the signed

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Disclosure of Conflict of Interest that is attached hereto as Exhibit C, and is incorporated into the Agreement.

4. Except as otherwise provided herein, the Agreement, the First Amendment dated, February 2, 2021, the Second Amendment dated, February 12, 2021 and the Third Amendment, dated June 11, 2021 remains in full force and effect.

[SIGNATURES FOLLOW ON NEXT PAGE.]

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

CITY OF FRESNO,
A municipal corporation

By: _____
Nicholas D. Mascia, PE
Assistant City Manager
Interim Director, Capital Projects Department

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: Signed by: Daniel Casas 8CA222CC4A86409... 7/2/2025
Daniel E. Casas Date
Senior Deputy City Attorney

ATTEST:
TODD STERMER, MMC
City Clerk

By: _____
Deputy Date

BKF Engineers
A California corporation

By: Signed by: Gordon Sweet 8CAFC08DA4844A5... _____

Name: Gordon C. Sweet, PE

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

By: Signed by: Brian Scott 1B30FAC9C52D43D... _____

Name: Brian Scott, PE

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

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Exhibit A

ADDITIONAL SCOPE OF SERVICES
Consultant Service Fourth Amendment to Agreement between City of Fresno ("City") and BKF Engineers, a California corporation ("Consultant")

Mid-Town Trail Segment 3
Project Title

Consultant (BKF Engineers. a California corporation) shall perform each service described in the item below.

The consultant fee to provide additional design services is itemized as follows:

Item	Part 3C Revised Construction Documents	Total Cost
1.	Additional Coordination and Management:	
2.	New Scoped Improvements (Herndon Canal Access Road Wall, E. Shield Ave FID Access Driveway, and E. Clinton RRFB): • Preliminary Design (75%) • Bid Set/Final Design (100%)	
3.	Revised Bid Set/Final PS&E Package: • Incorporation of Resolved FID/City Comments, Agreements and Revised Standards. • Updated Plans, Specs, Quantities, and Estimate • QA/QC and Compilation of Bid Set (Vellums)	
	Part 3C Cost:	$112,543

Item	Part 4 Bidding Phase	
1.	Advertise/Bid/Award Support • RFIs, Pre-Bid/Bid Opening Meeting, and Bid Review	
	Part 4 Cost:	$7,853

Item	Part 5 Construction Phase/General Construction Contract Admin.	
1.	Design Support During Construction • Pre-Construction Meeting, Submittal/RFI Review, Construction Change Orders (CCO), and Post-Construction Services (Punch List/As-Builts)	
	Part 5 Cost	$43,133

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Item	Reimbursables (Mileage)	
1.		$696

Subtotal:	$164,225
Minus remaining budget:	($8,675)
Total Cost:	**$155,550**
5% Contingency:	$7,778

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EXHIBIT C

DISCLOSURE OF CONFLICT OF INTEREST

Midtown Trail Segment 3

		YES*	NO
1	Are you currently in litigation with the City of Fresno or any of its agents?	☐	☒
2	Do you represent any firm, organization, or person who is in litigation with the City of Fresno?	☐	☒
3	Do you currently represent or perform work for any clients who do business with the City of Fresno?	☐	☒
4	Are you or any of your principals, managers, or professionals, owners or investors in a business which does business with the City of Fresno, or in a business which is in litigation with the City of Fresno?	☐	☒
5	Are you or any of your principals, managers, or professionals, related by blood or marriage to any City of Fresno employee who has any significant role in the subject matter of this service?	☐	☒
6	Do you or any of your subcontractors have, or expect to have, any interest, direct or indirect, in any other contract in connection with this Project?	☐	☒
* If the answer to any question is yes, please explain in full below.			

Explanation: N/A

☐ Additional page(s) attached.

Signed by: Gordon Sweet 8CAFC08DA4844A5...

Signature

7/2/2025

Date

Gordon C. Sweet, PE

Name

BKF Engineers

Company

1730 N. 1st St., Suite 600

Address

San Jose, CA 95112

City, State, Zip