

SECOND AMENDMENT TO AGREEMENT

THIS SECOND AMENDMENT TO AGREEMENT (Second Amendment) made and entered into as of this _____ day of December, 2017, amends the Agreement heretofore entered into between the CITY OF FRESNO, a municipal corporation, (CITY), and Provost and Pritchard Engineering Group, Incorporated, (CONSULTANT).

RECITALS

WHEREAS, CITY and CONSULTANT entered into an agreement, dated June 7, 2016, for professional engineering services for the design of plans and general construction contract documents for Pump Stations 117 and 284 Well Head Treatment Improvements ("Project") for a total fee of \$262,473;

WHEREAS, CITY has amended the scope of services, from design of Granular Activated Carbon treatment facility to low profile air strippers in order to properly evaluate said systems for use in future similar treatment projects and their ability to address carbon dioxide issues;

WHEREAS, CITY and CONSULTANT entered into the First Amendment to Agreement on July 21, 2017, to an increase of \$65,946 in CONSULTANT'S compensation to add to the current Part 2-Design Development Phase, Part 3-Construction Document Phase, Part 4-Bidding Phase, Part 5-Construction Phase and Supplemental Services scope of services; and

WHEREAS, the City and the Consultant desire to extend the Agreement to October 31, 2018, to complete the Project; and

WHEREAS, CONSULTANT agrees it has no claim, demands, or disputes against CITY.

AGREEMENT

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

1. The recitals to this Amendment are incorporated and made a part of this Amendment.
2. The Agreement is extended to October 31, 2018.
3. Except as otherwise provided herein, the Agreement entered into by CITY and CONSULTANT on June 7, 2016 and the First Amendment entered into by the City and the Consultant on June 21, 2017, remains 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: _____
Thomas C. Esqueda, Director
Department of Public Utilities

ATTEST:
YVONNE SPENCE, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: BD WA 11/15/17
Brandon M. Collet Date
Deputy

dba Provost and Pritchard Engineering
Group, Inc., a California corporation

By: Matthew W Kemp
Name: MATTHEW W. KEMP

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

By: Keith M. Mortensen
Name: KEITH M. MORTENSEN

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