

**THIRD AMENDMENT TO
AGREEMENT**

THIS THIRD AMENDMENT TO AGREEMENT (Amendment) made and entered into effect the 15th day of March 2018, between the CITY OF FRESNO, a California municipal corporation (City), and LIVE OAK ASSOCIATES, INC., a California corporation (Consultant).

RECITALS

WHEREAS, the City and the Consultant entered into an agreement on May 2, 2016, (Agreement) to provide professional Biological Resources Monitoring services for Friant Kern Canal Pipeline (Project); and

WHEREAS, the City and the Consultant amended the Agreement on May 15, 2017, to increase compensation for services by \$191,000 and extend the Agreement to October 31, 2017, to complete Project; and

WHEREAS, the City and the Consultant amended the Agreement on October 31, 2017, to extend the Agreement to March 31, 2018, to complete Project; and

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

WHEREAS, with entry into this Amendment, the Consultant agrees it has no claim, demand, or dispute against the City.

AGREEMENT

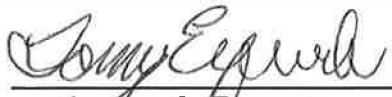
NOW, THEREFORE, in consideration of the above recitals, which recitals are contractual in nature, the mutual promises herein conditioned, and for other good and valuable consideration hereby acknowledge, the parties agree that the aforesaid Agreement be amended as follows:

1. The recitals to this Amendment are incorporated and made a part of this Amendment.
2. The Agreement is extended to August 31, 2018.
3. Except as otherwise provided herein, the Agreement entered into by the City and the Consultant on May 2, 2016, the first amendment entered into by the City and the Consultant on May 15, 2017, and the second amendment entered into by the City and the Consultant on October 31, 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 municipal corporation

By: 
Thomas C. Esqueda,
Director of Public Utilities

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By:  3/12/18
Brandon M. Collet
Deputy City Attorney


ATTEST:
YVONNE SPENCE, MMC
City Clerk

By:  3/15/18
Date
Deputy


Addresses:

CITY:
City of Fresno
Attention: Michael Carbajal
Planning Manager
2101 G Street, Building A
Fresno, CA 93706
Phone: (559) 621-1622
FAX: (559) 498-4126

LIVE OAK ASSOCIATES, INC.,
A California corporation

By: 
Name: David Hartesveldt

Title: Principal 2-21-18
(If corporation or LLC., Board Chair,
Pres. or Vice Pres.)

By: 
Name: Rick Hopkins

Title: Principal 2-15-2018
(If corporation or LLC., CFO., Treasurer,
Secretary or Assistant Secretary)

CONSULTANT:
LIVE OAK ASSOCIATES, INC.
Attention: Dave Hartesveldt
President
39930 Sierra Way, Suite B
Oakhurst, CA 93644
Phone: (559) 642-4880
FAX: (559) 642-4883