

**AMENDMENT NO. 1 TO AGREEMENT
FOR CONTRACT SERVICES BETWEEN
THE CITY OF FRESNO AND PUMA CONSTRUCTION COMPANY, INC.**

THIS AMENDMENT NO. 1 TO AGREEMENT (Amendment), is made and entered into effective December 10th, 2020, by and between the CITY OF FRESNO, a California municipal corporation (CITY), and Puma Construction Company, Inc., a California corporation (CONTRACTOR).

RECITALS

WHEREAS, CITY and CONTRACTOR entered into an agreement, dated October 19, 2018, incorporated herein (Agreement), for Public Work of Improvement Job Order Contract; and

WHEREAS, the parties desire to extend the term provided in the Agreement for (1) additional Option Term; and

WHEREAS, the parties desire to increase the Maximum Contract Value of the Agreement to \$6,000,000.

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 as follows:

1. Effective upon execution of this Amendment, (1) additional Option Term will be added to the original agreement dated October 19, 2018.

2. Effective upon execution of this Amendment, the Maximum Contract Value will be increased to \$6,000,000.

3. All capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the Agreement.

4. In the event of any conflict between the body of this Amendment and any Exhibit or Attachment hereto, the terms and conditions of the body of this Amendment shall control and take precedence over the terms and conditions expressed within the Exhibit or Attachment. Furthermore, any terms or conditions contained within any Exhibit or Attachment hereto which purport to modify the allocation of risk between the parties, provided for within the body of this Amendment, shall be null and void.

5. Except as otherwise provided herein, the Agreement entered into by CITY and CONSULTANT, dated October 19, 2018, remains in full force and effect.

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

CITY OF FRESNO,
a California municipal corporation

By: _____
Kevin Meikle
Director of Aviation

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: Brandon Collet 11/24/2020
DocuSigned by: TCFC5444CAA64DB
Brandon M. Collet Date
Senior Deputy

ATTEST:
YVONNE SPENCE, MMC CRM
City Clerk

By: _____
Deputy

Addresses:

CITY:
City of Fresno
Attention: Richard L. Madrigal
4995 East Clinton Way
Fresno, CA 93727
Phone: (559) 621-4528

PUMA CONSTRUCTION COMPANY,
INC.,
A California corporation

By: Matt Folmer 11/23/2020
DocuSigned by: C78D618A3D604B7...

Name: Matt Folmer

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

By: Nick Puma 11/23/2020
DocuSigned by: 8501E1A31C1E45B...

Name: Nick Puma

Title: Board of Directors
(If corporation or LLC, CFO, Treasurer,
Secretary or Assistant Secretary)

CONTRACTOR:
Puma Construction Company, Inc.
Attention: Matt Folmer
4387 W. Santa Ana, #103
Fresno, CA 93722-3956
Phone: 559 275-6100
FAX: 559 275-6779