

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT (Amendment) made and entered into as of this _____ day of January 2024, amends the Agreement theretofore entered between the CITY OF FRESNO, a California municipal corporation (CITY), and CENTURYLINK COMMUNICATIONS LLC., a Delaware limited liability company, (CONSULTANT).

RECITALS

WHEREAS, the CITY and the CONSULTANT entered into a Utility Relocation, Adjustment, and/or Protection Agreement on March 30, 2023, (Agreement) to provide utility relocation services for the North Avenue Sewer Trunk Main Realignment (Project), for an estimated fee of \$675,081.78; and

WHEREAS, at the time of the Agreement, the CITY and the CONSULTANT jointly acknowledged there may be a greater than anticipated cost to relocate the telecommunications facilities; and

WHEREAS, the CITY and the CONSULTANT desire to increase the total project cost from \$675,081.78 to \$778,037.57, for a net increase of \$102,955.79; and

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

AGREEMENT

NOW, THEREFORE, the CITY and the CONSULTANT agree that the aforesaid Agreement be amended as follows:

1. The total project cost is \$778,037.57.
2. Except as otherwise provided herein, the Agreement entered into by the CITY and the CONSULTANT, dated March 31, 2023, remain in full force and effect.

[SIGNATURES FOLLOW ON NEXT PAGE.]

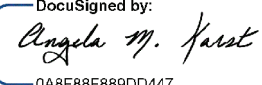
IN WITNESS WHEREOF, the CITY and the CONSULTANT have executed this Amendment at Fresno, California, the day and year first above written.

CITY OF FRESNO,
A municipal corporation

CENTURYLINK COMMUNICATIONS,
LLC
A Delaware limited liability company

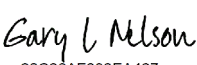
By: _____
Brock D. Buche, PE, PLS
Director of Public Utilities

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By:  _____ 1/3/2024
DocuSigned by:
Angela M. Karst
0A8F88F889DD447... Date
Senior Deputy City Attorney

ATTEST:
TODD STERMER, CMC
City Clerk

By: _____
Deputy Clerk Attesting Date

By:  _____ 1/3/2024
DocuSigned by:
Gary L. Nelson
22C26AF803EA427...

Name: Gary L. Nelson
Director - Enterprise - West Region
Title: _____
(If corporation or LLC., Board
Chair, Pres. Or Vice Pres.)

By:  _____ 1/3/2024
DocuSigned by:
Robert Novak
0CD332F6AE5E47C...

Name: Robert Novak
Vice President, Enterprise Field Operations
Title: _____
(If corporation or LLC., CFO,
Treasurer, Secretary or Assistant
Secretary)