

AMENDMENT NOLTE - 1 -

**AMENDMENT NO. 1 TO CONSULTANT SERVICES AGREEMENT
BETWEEN
THE CITY OF FRESNO AND NOLTE ASSOCIATES, INCORPORATED**

THIS AMENDMENT NO. 1 TO AGREEMENT, is made and entered into between the CITY OF FRESNO, a municipal corporation ("City"), and NOLTE ASSOCIATES, a Professional Engineering Firm ("Consultant".)

RECITALS

WHEREAS, the City and Consultant entered into an Agreement, effective July 18, 2007 ("Agreement"), for professional consulting services related to services for Preliminary Study Report for a grade separation at Herndon Avenue Union Pacific Railroad at grade crossing ("Project"); and

WHEREAS, the CONSULTANT and CITY desire to modify the Agreement to increase the total cost payable by the City thereunder from \$33,122 to \$44,546, upon the terms and conditions provided in this Amendment No. 1.

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. The Agreement is hereby modified to increase the total cost payable by the City thereunder from \$33,122 to \$44,546, for Project extra work to be completed by February 27, 2008.
2. All capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the Agreement.
3. In all other regards, the Agreement shall be and remain in full force and effect.

(Handwritten initials and signature)

///
///
///
///

AMENDMENT NOLTE - 2 -

IN WITNESS WHEREOF, the parties authorized agents have executed this Amendment No. 1 to Agreement at Fresno, California, the day and year first above written.

CITY OF FRESNO
a Municipal Corporation

NOLTE ASSOCIATES, Inc.

By: 
Scott Mozier, Assistant Public Works Director
Date: 11-02-07

By: 
Name: John A. Dalton, Jr.
Date: 10-22-2007

ATTEST:
Rebecca E. Klisch
City Clerk

By: 
Date: 11/5/07 *Deputy*

By: 
Date: 10/22/07

APPROVED AS TO FORM:
James C. Sanchez

By: 
Robert Coyle, Deputy Attorney
Date: 10-25-07

Addresses:

CITY:
City of Fresno
Attention: David A. Cisneros,
2600 Fresno Street, Room 3076
Fresno, CA 93721
Phone: 559-621-8505
FAX: 559-457-1325

CONSULTANT:
NOLTE ASSOCIATES, INC.
Attention: Michael Pugh, SE
2495 Natomas Park Drive, Fourth Floor
Sacramento, CA 95833-2935
Phone 916-641-9100
FAX: 916-641-9222