

**FIRST AMENDMENT TO AGREEMENT**

THIS FIRST AMENDMENT TO AGREEMENT ("First Amendment") is made and entered into this 25th day of April, 2017, by and between the County of Fresno ("OWNER" or "COUNTY") and Durham Construction Company, Inc. ("CONTRACTOR").

**WITNESSETH:**

WHEREAS, the COUNTY and CONTRACTOR entered into an Agreement dated July 12, 2016 identified as Contract Agreement No. 16-J-02, incorporated herein by reference (the "Agreement"), for CONTRACTOR to provide job order contract services; and

WHEREAS, OWNER and CONTRACTOR desire to increase the maximum compensation payable under the Agreement by an additional \$2,500,000, to provide sufficient funds to complete current projects undertaken by CONTRACTOR, as well as any other work orders issued to CONTRACTOR prior to July 12, 2017, pursuant to the Agreement.

NOW, THEREFORE, OWNER and CONTRACTOR, agree to amend the Agreement as follows:

1. The portion of Article IV. COMPENSATION on Page 2 of the Agreement, beginning with the word "The" on line 29 and ending with the dollar figure "\$1,500,000." on line 30, is hereby deleted and replaced with the following:

"The Maximum Contract Value is \$4,000,000."

All other terms, conditions, mutual covenants, and promises contained in the Agreement, shall remain in full force and effect, except as hereinabove amended by this First Amendment.

Upon execution of this First Amendment, the Agreement and this First Amendment shall together be considered the Agreement.

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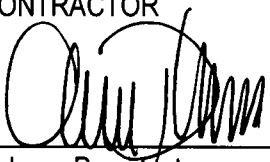
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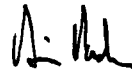
1  
2 IN WITNESS WHEREOF, the parties have executed this Agreement on the date  
3 set forth above.

4 NAME OF CONTRACTOR

COUNTY OF FRESNO

5  
6 BY: 

Chris Durham, President,  
Secretary, Treasurer, and Manager  
Durham Construction Company, Inc.  
1025 Holland Ave., Clovis, CA 93612



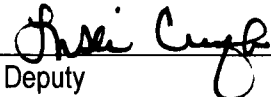
Brian Pacheco, Chairman  
Board of Supervisors

9  
10 REVIEWED AND RECOMMENDED  
11 FOR APPROVAL

ATTEST:  
Bernice E. Seidel, Clerk  
Board of Supervisors

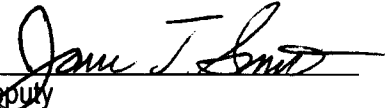
12  
13 By: 

Steven E. White, Director  
Department of Public Works and  
Planning

By: 

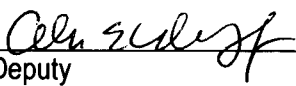
Deputy

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15  
16 APPROVED AS TO LEGAL FORM  
17 Daniel C. Cederborg  
County Counsel

18  
19 By: 

Deputy

20  
21 APPROVED AS TO ACCOUNTING  
22 FORM  
23 Oscar J. Garcia CPA  
Auditor-Controller/ Treasurer-Tax  
Collector

24  
25 By: 

Deputy

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