

AMENDMENT I TO AGREEMENT

THIS AMENDMENT I TO AGREEMENT, ("Amendment I"), is made this 12th day of July, 2022 ("Effective Date"), by and between the COUNTY OF FRESNO, a political subdivision of the State of California ("County"), and the MALAGA COUNTY WATER DISTRICT, a special district in the County of Fresno formed under Part 2 of Division 12 of the California Water Code, with a district office located at 3580 South Frank Street, Fresno, CA 93725 ("District").

WITNESSETH

WHEREAS, the County has been designated as the sponsoring agency to administer and implement the Community Development Block Grant (CDBG) Program activities of the County, and its participating cities, in accordance with the provisions of Title I of the Housing and Community Development Act of 1974, as amended, and the laws of the State of California; and

WHEREAS, on April 14, 2020, the County and the City entered into Agreement 20-143, ("Agreement"), whereby \$250,000 in CDBG funds were made available to the City for the Malaga Fire Hydrant Improvements, Project No. 19451 ("Project"), while the District would provide local funds in the amount of \$106,000; and

WHEREAS, on October 29, 2021, the Director approved an extension to the close out date of the project to December 1, 2022, per the terms of Section VII, Paragraph D; and

WHEREAS, the District informed the County that the total estimated cost of the Project has increased from \$356,000 to \$556,000 due to increased construction costs; and

WHEREAS, the County now has an additional \$200,000 of CDBG funds that can be made available to the Project to accommodate the increased construction costs; and

WHEREAS, the District has requested these additional CDBG funds in the amount of \$200,000 be made available to the Project.

NOW THEREFORE, in consideration of their mutual promises as hereinafter set forth, the District and the County agree to amend the Agreement as follows:

1. Page 1, Lines 15-17, is amended to read:

"WHEREAS, the District has estimated that the total cost of the Project is \$556,000, and the District has committed local funds to the Project in the amount of \$106,000, and has requested

the sum of \$450,000 from the County's allocation of CDBG funds to complete the Project; and"

2. The budget for the Project on Page 2, Lines 20-22, is amended to read:

" Construction	\$450,104
Design & Construction Engineering	68,000
Contingency, Permits & Misc.	<u>37,896</u>
Total	\$556,000"

3. The proposed funding summary for the Project on Page 3, Lines 1 and 2, is amended to read:

"CDBG	\$450,000
Local Financial Contribution	<u>\$106,000</u>
Total	\$556,000"

4. That the dollar figure set forth on Page 2, Line 25, Page 3, Line 15, and Page 4, Line 21, of the Agreement, is amended to read "\$450,000".

County and District agree that this Amendment I is sufficient to amend the Agreement, and that upon execution of this Amendment I, the Agreement and this Amendment I together shall be considered the Agreement.

The Agreement, as hereby amended, is ratified and continued. All remaining provisions, terms, covenants, conditions, and promises contained in the Agreement shall remain in full force and effect.

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1 IN WITNESS WHEREOF, the parties have executed this Amendment I as of the day and
2 year first hereinabove written.

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4 MALAGA COUNTY WATER DISTRICT

COUNTY OF FRESNO

5
6 By: 
7 President/Superintendent/
8 Chairman/Manager


Brian Pacheco, Chairman of the
Board of Supervisors of the
County of Fresno

9 Date: 6/1/2022

Date: 7-12-2022

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11 ATTEST:
12 Bernice E. Seidel
13 Clerk of the Board of Supervisors
14 County of Fresno, State of California

15 By: 
16 Deputy

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20 FUND NO: 0001
21 SUBCLASS NO: 10000
22 ORG NO: 7205
23 ACCOUNT NO: 7885
24 PROJECT NO: N19451
25 ACTIVITY CODE: 7219

REMIT TO:

Malaga County Water District
Attention: Moises Ortiz, District Manager
3580 S. Frank Street
Fresno, CA 93725
Telephone: (559) 485-7353