

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT to Agreement No. 19-202 ("First Amendment") is made and entered into this 10th day of December, 2019, by and between the County of Fresno, a political subdivision of the State of California ("COUNTY"), and Durham Construction Company, Inc., a California corporation, whose address is 1025 Holland Ave., Clovis, CA 93612 ("CONTRACTOR").

WITNESSETH:

WHEREAS, COUNTY and CONTRACTOR entered into Agreement No. 19-202, dated May 7, 2019 ("Agreement") pursuant to which CONTRACTOR agreed to provide Job Order Contracting services; and

WHEREAS, COUNTY and CONTRACTOR now desire to amend the Agreement to increase the maximum compensation payable under the Agreement by an additional \$2,900,000.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, COUNTY and CONTRACTOR agree to amend the Agreement as follows:

The portion of Section 4. COMPENSATION of the existing Agreement No. 19-202, as set forth on page 5, beginning in line 27 with the word "CONTRACTOR" through page 6 line 5, is hereby deleted and replaced with the following:

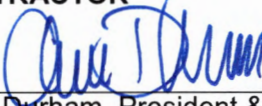
"CONTRACTOR shall receive the opportunity to perform Job Orders totaling a minimum of at least twenty five thousand dollars (\$25,000) during the Agreement term. The total value of all Job Orders ("Maximum Agreement Value") performed by CONTRACTOR shall not exceed four million nine hundred thousand dollars (\$4,900,000)."

COUNTY and CONTRACTOR agree that this First Amendment is sufficient to amend the Agreement and that upon execution of this First Amendment, the Agreement and this First Amendment shall together be considered the Agreement.

1 The Agreement, as hereby amended, is ratified and continued. All provisions, terms,
2 covenants, conditions and promises contained in the Agreement and not amended herein shall
3 remain in full force and effect.
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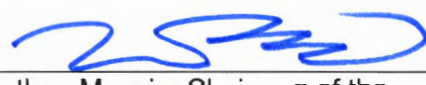
1 EXECUTED AND EFFECTIVE as of the date first above set forth.

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3 **CONTRACTOR**

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5 Chris Durham, President & Secretary

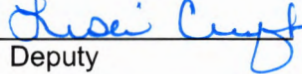
6 Durham Construction Company, Inc.
7 1025 Holland Ave.
8 Clovis, CA 93612

COUNTY OF FRESNO


Nathan Magsig, Chairman of the
Board of Supervisors of the County of Fresno

ATTEST:

Bernice E. Seidel
Clerk of the Board of Supervisors
County of Fresno, State of California

By: 
Deputy

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12 **FOR ACCOUNTING USE ONLY:**

13 ISD – Facility Services
14 ORG No.: 8935
15 Account No.: 7295
16 Fund: 1045
17 Subclass: 10000
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