

FIRST AMENDMENT TO SERVICES AGREEMENT

This First Amendment to Services Agreement ("First Amendment") is hereby entered into on April ___, 2021 by and between the City of Rialto, a municipal corporation ("City"), and Bureau Veritas ("Consultant"). The City and Consultant are collectively referred to as the "Parties".

RECITALS

- A. City and Consultant entered into a Services Agreement for building official services on or about August 11, 2020 ("Agreement"), for an amount not to exceed \$150,000.00.
- B. This First Amendment amends the Agreement to increase the compensation amount called for in the Agreement by \$100,000.00, for a total not to exceed compensation amount under the Agreement of \$250,000.00.

OPERATIVE PROVISIONS

NOW, THEREFORE, in consideration of the promises made and recited herein, the Parties do hereby enter into this First Amendment which modifies and amends the Agreement as follows:

- 1. **AMENDMENTS.** The Agreement is hereby modified and amended as follows:

- 1.1 **Contract Sum.**

- (a) Section 2.1, "Contract Sum," of the Agreement is hereby amended and restated below in its entirety to read:

"Subject to any limitations set forth in this Agreement, City agrees to pay Consultant the amounts specified in the 'Schedule of Compensation' attached hereto as Exhibit 'C' and incorporated herein by this reference. The total compensation, including reimbursement for actual expenses, shall not exceed two hundred fifty thousand dollars (\$250,000.00) (the "Contract Sum"), unless additional compensation is approved pursuant to Section 1.9."

- 2. **GENERAL PROVISIONS.**

- 2.1 **Remainder Unchanged.** Except as specifically modified and amended in this First Amendment, the Agreement remains in full force and effect and binding upon the Parties.

- 2.2 **Integration.** This First Amendment constitutes the entire understanding and agreement of the Parties and supersedes all negotiations or previous agreements between the Parties with respect to all or any part of the transaction discussed in this First Amendment.

2.3 **Effective Date.** This First Amendment shall not become effective until the date it has been formally approved by the City Council and executed by the appropriate authorities of the Parties.

2.4 **Applicable Law.** The laws of the State of California shall govern the interpretation and enforcement of this First Amendment.

2.5 **References.** All references to the Agreement include all their respective terms and provisions. All defined terms utilized in this First Amendment have the same meaning as provided in the Agreement, unless expressly stated to the contrary in this First Amendment.

IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment to the Agreement on the date and year first written above.

BUREAU VERITAS

By: _____

Its: _____

Trang Huynh

TRANG HUYNH P.E.
REGIONAL MANAGER OF
SOUTHERN CALIFORNIA

CITY OF RIALTO

Sean Grayson
Acting City Manager

ATTEST:

APPROVED AS TO FORM

Barbara McGee
City Clerk

Eric Vail
Interim City Attorney