

**FIRST AMENDMENT TO AGREEMENT WITH BUTIER ENGINEERING SERVICES
INC TO PROVIDE CONSTRUCTION ENGINEERING SERVICES FOR THE SOUTH
MAIN CORRIDOR IMPROVEMENTS PROJECT**

THIS FIRST AMENDMENT to the above-referenced agreement is entered into on September 21, 2021 by and between Butier Engineering, Inc. ("Consultant") and the City of Santa Ana, a charter city and municipal corporation organized and existing under the Constitution and laws of the State of California ("City").

RECITALS

- A. The parties entered into Agreement No. A-2021-005, dated January 19, 2021, by which Contractor agreed to provide construction engineering services for the South Main Corridor Improvements Project for the City's Public Works Agency ("Agreement"). The Agreement runs through January 18, 2024, with options to extend the Agreement for up to two (2) one (1) year periods. The Agreement is current and in effect.
- B. The parties now wish to amend the Agreement to increase the compensation to pay for services required for the duration of the Agreement, including any exercised extension periods.

THE PARTIES THEREFORE AGREE:

1. **Section 2, COMPENSATION**, shall be amended to increase the total compensation by \$200,000 and the contingency by \$100,000. The total sum to be expended under this Agreement, including any extension periods, shall not exceed \$1,236,924. This total sum shall be comprised of a base amount of \$980,770 and a contingency amount of \$256,154 for additional services at the City's sole discretion.

Except as modified by this First Amendment, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the date and year first above written.

ATTEST:

CITY OF SANTA ANA

Daisy Gomez
Clerk of the Council

Kristine Ridge
City Manager

[Signatures continue on the next page]

APPROVED AS TO FORM:

Sonia R. Carvalho
City Attorney

By: Jose Montoya
Jose Montoya
Deputy City Attorney

CONSULTANT:

Manuel J. Botica
Name: Manuel J. Botica
Title: President/CEO

RECOMMENDED FOR APPROVAL

Nabil Saba
Nabil Saba
Executive Director
Public Works Agency