

<u>Dist</u> 06	<u>Co</u> KIN	<u>Rte</u> 198	<u>P.M.</u> 8.9/10.1	<u>EA</u> 325501
Federal Aid No.:		ACNH-P198(056)		
Owner's File:		N/A		
FEDERAL PARTICIPATION:		On the Project	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		On the Utilities	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

**FIRST AMENDMENT TO UTILITY AGREEMENT NO. 06-1345.33**

**WHEREAS**, the State of California, acting by and through its Department of Transportation, hereinafter called STATE and City of Lemoore, hereinafter called OWNER, have entered into that certain Utility Agreement No. 06-1345.33, dated October 11, 2011, which Agreement sets forth the terms and conditions pursuant to which OWNER will relocate an existing irrigation canal (and all appurtenances) to accommodate STATE's construction on Route 198, Project No. 325501,

**WHEREAS**, in the performance of said work, increased costs over and above those estimated at the time of the execution of said Agreement were incurred due to the fact that the original estimate underestimated for engineering of the additional work for the irrigation canal relocation costs,

**WHEREAS**, it has been determined that, since final costs have overrun the amount shown in said Agreement by 2.58%, and when the increased cost exceeds by 25% the estimated amount set forth in said Agreement, said Agreement shall be amended to show the increased cost of the work to the STATE; and,

**WHEREAS**, the estimated cost to the STATE of the work to be performed under said Agreement was \$525,090, and by reason of the increased costs referred to above, the amended estimated cost to the STATE is \$1,352,884.50.

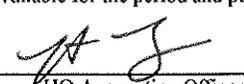
**NOW, THEREFORE**, it is agreed between the parties as follows:

1. The estimated cost to the STATE of \$525,090 as set forth in said Agreement is hereby amended to read \$1,352,884.50.
2. All other terms and conditions of said Agreement remain unchanged.

**AMENDMENT TO UTILITY AGREEMENT (Cont.)**  
(FORM #)

UTILITY AGREEMENT NO.  
06-1345.33

THE ESTIMATED COST TO STATE FOR ITS SHARE OF THE ABOVE DESCRIBED WORK IS \$1,352,884.50

CERTIFICATION OF FUNDS				
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure shown here.				
				2/14/13
HQ Accounting Officer				Date
ITEM	CHAP	STAT	FY	AMOUNT
2660-301F	21	2012	13	\$827,794.50
0890/20.20				

FUND TYPE	EA	AMOUNT
Design Funds		\$
Construction Funds		\$
RW Funds	0600000367	\$ 827,794.50

IN WITNESS WHEREOF, the parties have executed this First Amendment to Utility Agreement No. 06-1345.33 this day of \_\_\_\_\_ 2013.

STATE: DEPARTMENT OF TRANSPORTATION

OWNER: CITY OF LEMOORE

By \_\_\_\_\_  
NICHOLAS G. DUMAS Date  
Office Chief, Central Region, Right of Way

By: \_\_\_\_\_  
Name/Title Date

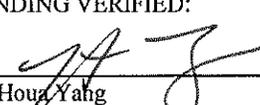
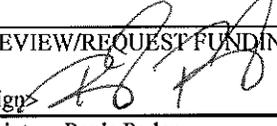
APPROVAL RECOMMENDED:

By \_\_\_\_\_  
BARBIE BARNES Date  
District Utility Coordinator, Right of Way

By \_\_\_\_\_  
PAULA PADEN Date  
Utility Coordinator

**DO NOT WRITE BELOW - FOR ACCOUNTNG PURPOSES ONLY**

PLANNING AND MANAGEMENT TO COMPLETE UNSHADED FIELDS:											UTILITY COMPLETES:		
T CODE	DOCUMENT NUMBER	SUF FIX	DIST	UNIT	CHG DIST	EA	SUB JOB	SPECIAL DESIGNATION	FFY	FA	OBJ CODE	DOLLAR AMOUNT	
			153406	1534	06	00000367	9	91345X33	13		054	\$827,794.50	
											054		

EA FUNDING VERIFIED: Sign:  Date: 2/14/13 Print: Houa Yang R/W Planning and Management	REVIEW/REQUEST FUNDING: Sign:  Date: 2/14/13 Print: Paula Paden Utility Coordinator
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Distribution: 2 originals to R/W Accounting  
1 original Utility Owner  
1 original to File