

**AMENDMENT TO
AGREEMENT FOR ROADWAY SURFACE TREATMENT OF KIRKER PASS ROAD BETWEEN BUCHANAN
ROAD AND NORTONVILLE ROAD**

This Amendment is entered into effective **December 3, 2024**, by and between the City of Pittsburg, a municipal corporation (hereinafter referred to as "City"), and the County of Contra Costa, a political subdivision of the State of California (herein referred to as "County"), to amend The Agreement for Roadway Surface Treatment of Kirker Pass Road between Buchanan Road and Nortonville Road, dated July 12, 2022, between the City and the County (the "Agreement"). Capitalized terms used and not defined in this Amendment are defined in the Agreement.

Recitals

- A. The City and the County entered into the Agreement to set forth the terms of agreement concerning the Surface Treatment of the Treatment Area and the allocation of related costs. Under the Agreement, the City agreed to reimburse the County for its costs to complete a Surface Treatment of the Treatment Area, but not to exceed \$250,000 based on the then current cost estimate.

- B. The parties have further evaluated the Surface Treatment to be applied, and they have updated the cost estimate. It now appears the Surface Treatment of the Treatment Area will cost \$600,000, not \$250,000, and the City is willing to reimburse the County up to \$600,000 to complete the Surface Treatment.

Amendment

Now, therefore, the City and the County agree to amend the Agreement, as follows:

- 1. Amendment: The Agreement is hereby amended: (a) by deleting "\$250,000.00" from Section 3. Payments, Part a., on page 1 of the Agreement, and replacing it with "\$600,000.00"; and (b) by deleting "\$250,000.00" from Section 3. Payments, Part b. Billing, on page 2 of the Agreement, and replacing it with "\$600,000.00".

- 2. Effect: Except as expressly modified by this Amendment, the Agreement remains unchanged and in full force and effect.

COUNTY OF CONTRA COSTA

CITY OF PITTSBURG

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

Approved as to form:
Thomas L. Geiger,
County Counsel

Approved as to form:
Donna Mooney, City Attorney

By: _____
Deputy County Counsel
