

FIFTH AMENDMENT TO AGREEMENT

This Fifth Amendment to Agreement ("Fifth Amendment") is entered into this 1st day of July 2020 by the City of Pleasanton ("City") and Graham Hitch Mortuary, ("Consultant").

Whereas, on July 1, 2016 the City and Consultant entered into a Professional Services Agreement for Cemetery Management, Sales, and Burial Coordination services, as amended by the First Amendment dated July 1, 2017, the Second Amendment dated March 26, 2018, the Third Amendment dated July 1, 2018, and the Fourth Amendment dated July 1, 2019 (collectively the "Agreement"); and

Whereas, the terms, compensation, and scope (Exhibit A) need to be amended; and

Whereas, the parties desire to amend the Agreement;

Now, therefore, in exchange for valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Section 3 of the Agreement, "Terms" is amended to read:
This contract shall commence on the date written above and shall expire on June 30, 2021.
2. Section 4 of the Agreement, "Compensation" is amended to read:
Total compensation for services and reimbursement for costs shall not exceed \$100,000.
3. Scope of Consultant's Services of the Agreement, "Exhibit A" is amended to read:
Burial and Disinterment Coordination Fee - \$250.00
4. All other terms and conditions of the Agreement shall remain in full force and effect.

In witness whereof, authorized representatives of the parties have executed this Third Amendment to the Agreement as of the date and year first above written.

CITY OF PLEASANTON

CONTRACTOR

Nelson Fialho, City Manager

By: _____
Signature

Print name

ATTEST:

Title: _____

Karen Diaz, City Clerk

[If Consultant is a corporation, signatures must comply with California Corporations Code §313]

APPROVED AS TO FORM:

By: _____
Signature

Print name

Daniel G. Sodergren, City Attorney

Title: _____