

AGREEMENT MODIFICATION #3

KB GROUP OF NY, INC. and VILLAGE OF SCOTIA

This Agreement Modification #3 (hereinafter referred to as the “Amendment 3”) is made and entered into this _____ day of April 2022, by and between **KB GROUP OF NY, Inc. dba PRIME AE Group of NY** having an address at 100 Great Oaks, Boulevard., Suite 114, Albany, NY 12208 (“KB Group”) and **VILLAGE OF SCOTIA**, having an address at 4 North Ten Broeck Street, Scotia, NY 12302, collectively referred to as “Parties”.

RECITALS

- A. WHEREAS, the Parties have entered into an Agreement dated June 14, 2017 (hereinafter referred to as the “Agreement”) for KB Group to provide engineering services;
- B. WHEREAS, KB Group provided CLIENT a proposal dated June 14, 2017 for engineering services for the Wastewater Pump Station Improvements for a fee of \$177,345.00 (“Project”);
- C. WHEREAS, the parties entered into Amendment 1 dated March 29, 2019 for Financial and Grant Administration services for \$14,700.00;
- D. WHEREAS, the parties entered into Amendment 2 dated January 19, 2021 for additional engineering services for \$104,600.00;
- E. WHEREAS, the Parties hereby further agree to amend the said Agreement in accordance with the terms and conditions contained in this Amendment 3.

AMENDMENT

NOW THEREFORE, in consideration of the mutual agreement of the Parties to amend the Agreement and for other good and valuable consideration which is acknowledged by the Parties, the Parties agree that the Agreement be amended as follows:

1. CLIENT has requested additional services for the Project and agrees to increase the not to exceed fee for KB Group from \$296,725.00 to include additional services in the amount of \$22,100.00 for a total not to exceed fee of \$318,825.00 and no increase in overall total project cost;
2. KB Group agrees to provide additional services for the Project as follows:
 - a. services for closeout of existing construction contracts and additional construction engineering for C2-Demolition and C3- Pump Station General Construction for \$22,100.00 with no increase in overall total project cost.

TERMS & CONDITIONS

The Parties agree that all of the terms and conditions of the Agreement shall remain in full force and effect.

ENTIRE AGREEMENT

The Agreement, as amended by this Amendment 3, contains the entire agreement of the Parties hereto with respect to the subject matter hereof. Any representations, inducements, or agreements, oral or otherwise, between the Parties not contained in this Amendment 3 shall be of any force and effect. This Amendment 3 may not be modified, changed or terminated, in whole or in part, in any manner other than by an agreement in writing signed by duly authorized representatives of the Parties.

IN WITNESS WHEREOF, the Parties hereto have caused this instrument to be duly executed as of the day and year hereinbefore first written.

KB GROUP OF NY, Inc.



By: Kerry Hogan, P.E.

Title: Sr. Vice President

VILLAGE OF SCOTIA

By: Thomas Gifford

Title: M a y o r