

**AMENDMENT No. 1 TO AGREEMENT
FOR CONSULTATION AND OTHER SERVICES**

This Amendment is entered into this 5th day of August 2008, by and between the City of Milpitas and the Milpitas Redevelopment Agency, a municipal corporation of the State of California (hereafter referred to as "CITY") and Critical Solutions, Inc. (hereafter referred to as "CONSULTANT").

RECITALS

WHEREAS, the parties entered into an Agreement for professional construction management and technical services for the Midtown East Parking Garage, Milpitas Public Library, and other Midtown Development Projects on March 7, 2006 with a total compensation not to exceed \$2,100,000, and;

WHEREAS, the parties now desire to amend the Agreement to allow the CONSULTANT to provide a technical and constructability review of the pre-qualification statement document and 90% construction plans and specifications for the Senior Center Remodel Project No. 8176, as outlined in Exhibit "A-2".

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree to amend the Agreement as follows:

1. The first sentence in Section 1.1, entitled "Term of Services" is amended to read:

The term of this Agreement shall begin on the date first noted above and shall end on January 30, 2009

2. Section 1, entitled "Services" is amended by adding Exhibits "**A-2**", which are attached hereto and incorporated by reference herein.
3. Section 2, entitled " Compensation " is amended to add Exhibit "**B-2 and B-2A**", which are attached hereto and incorporated by reference herein. Section 2 is further amended by adding the following to the end of the Section:

The compensation for the services set forth in Exhibits "**A-2**" is a "not to exceed" amount. The total maximum amount of compensation to be paid for tasks outlined in Exhibits "**B-2 and B-2A**" shall be **\$44,554.00**.

4. All other provisions of the Agreement shall remain in full force and effect. This Amendment is executed as of the date written above.

APPROVED BY:

CITY OF MILPITAS/RDA

CONSULTANT
CRITICAL SOLUTIONS, INC.

As to Content:



Steve Erickson
Capital Improvement Manager



Ronald Johnson
Principal/ President

Thomas C. Williams
City Manager/Executive Director

Approved as to Form:

Michael J. Ogaz
City Attorney/Agency Counsel

Attested By:

Mary Lavelle
City Clerk/Agency Secretary

EXHIBIT A-2



Critical Solutions, Inc.
Project/Construction Management Consultants
1801 Oakland Blvd., Suite 300
Walnut Creek, CA 94596
Phone (925) 944-5060 Fax: (925) 944-8815
E-mail: csi@csipm.com Web: www.csipm.com

July 15, 2008

Mr. Steve Erickson
Acting Capital Improvement Manager
City of Milpitas
455 East Calaveras Blvd
Milpitas, Ca 95035

Subject: Proposal to Provide Pre-Constructions Services for the Milpitas Senior Center

Dear Steve:

Based on our conversation this morning, we have revised our scope of services to align with the efforts that are being performed by the City of Milpitas staff. Our understandings of the services you are requesting are as follows:

Contractor Pre Qualification:

CSI will review the general contractor pre-qualification statement, prepared by the City of Milpitas staff and provide comments.

Division 0 & I Preparation:

CSI will review the front end documents prepared by the City of Milpitas and provide comments.

Constructability Review:

Towards the completion of the construction documents (90% to 95%), which we understand to be the later part of August 2008, CSI and a few specialty sub-consultants will perform a complete constructability review on the drawings and specifications. The constructability review will help identify omissions and conflicts and verify that the construction documents are complimentary and convey complete design systems in a systematic, comprehensive and congruent manner. We will look for points of construction and/or sequencing difficulty that may cause delay or impact the project. We will check for the interface of materials, dimensions, subsequent and complete referencing of details, schedules, sections and plans. We will check for constructability of details, availability of materials, fabricated systems, and the routing and clearances of mechanical, electrical and plumbing (MEP) systems to help ensure that adequate ceiling space and chases have been allowed. Once the Architect has responded to our comments, we will review their responses and provide follow-up comments as necessary.

Based on providing the services as described above, our fee proposal to provide these services is \$44,554. I have attached our breakdown of hour and individuals that would perform the services.

We are looking forward to continuing our relationship with the City of Milpitas. Thanks again for the opportunity to present our proposal.

Sincerely,

Thomas J. Hedges
Senior Project Manager

cc: Ronald Johnson
Daryl Witbeck



City of Milpitas Senior Center Staffing & Fee Proposal

EXHIBIT B-2

Name	Position	2008			Total Hours	Hourly Rate	Total Amount
		TASK 1	Task 2	Task 3			
Project/Construction Management							
Tom Hedges	Senior Project Manager	8	30	32	\$175	\$12,250	
Bob Arnisen	Senior Architect			40	\$150	\$6,000	
Daryl Witbeck	Senior Construction Manager	2	10	24	\$150	\$5,400	
Eileen Clark	Administrative Assistant	2	4	8	\$60	\$840	
Sub-Consultants							
Dominic Campi, S.E.	Structural Engineer			32	190	\$6,080	
Brian Smith	Electrical Engineer			32	190	\$6,080	
Steve Taylor, P.E., LEED AP	Mechanical Engineer			32	190	\$6,080	
Labor Total							\$18,240
Sub-Consultant Mark Up @ 10%							\$42,730
Estimated Total Fee							\$1,824
							\$44,554

TASK: 1 Pre-Qualification Services
 TASK: 2 Division 0 & 1 Preparation
 TASK: 3 Constructability Review

