

AMENDMENT No. 1 TO CONTRACT

This Amendment is entered into this 4th day of August, 2009, by and between the City of Milpitas and the Milpitas Redevelopment Agency and Cal-West Lighting & Signal Maintenance, Inc (hereafter referred to as "CONTRACTOR").

RECITALS

WHEREAS, the City of Milpitas and the Contractor entered into an Contract for Traffic Signal and Street Lighting and other related improvements, on March 17, 2009; and

WHEREAS, said lighting and other related improvement work is a listed project in the 2009-2014 Capital Improvement Program; and

WHEREAS, the Milpitas Redevelopment Agency wishes to contribute redevelopment funds and participate in the Contract, in conformity with Milpitas Joint Resolution No. RA331/7877 (June 2, 2009) and the 2009-14 Capital Improvement Program; and

WHEREAS, the parties also desire to amend the Contract to allow CONTRACTOR to provide additional traffic signal, lighting other related services for one additional one-year extension period.

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

1. The CONTRACTOR and the City of Milpitas hereby amend the Contract by adding the Milpitas Redevelopment Agency as a party to the Contract. The rights and obligations conferred to the party identified as "City" in the original Contract shall now apply to and refer to both the City of Milpitas and the Milpitas Redevelopment Agency collectively. All references and uses of the term "City" in the Contract and all of its amendments shall henceforth mean both the City of Milpitas and the Redevelopment Agency.
2. The Contract, page 1, "Amount of Contract" is hereby amended to add an additional \$100,000 in possible compensation, with the next text to read as follow:

"The total not to exceed amount of the Contract is \$200,000."
3. The term of the Contract is extended until July 30, 2010.
4. The CONTRACTOR agrees to maintain and pay for all insurance policies as required under the Contract and set forth in Exhibit B of the Contract. The CONTRACTOR shall provide the City and the Agency with renewal certificates of the current policies upon the expiration of the current policy and add the Agency as an additional insured.
5. All other provisions of the Contract shall remain in full force and effect.

This Amendment is executed as of the date written on Page 1.

APPROVED BY:

CITY OF MILPITAS

CONTRACTOR

Thomas C. Williams
City Manager/Executive Director

Graig Geiss

68—0229035
Taxpayer identification number

Michael J. Ogaz,
City Attorney/Agency Counsel as to Form

Attested by: Mary Lavelle
City Clerk/Agency Secretary