Project Name: Milpitas Senior Center
Project No: 8176

Council Approval
Date: December 1, 2009

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AMENDMENT 1 TO THE AGREEMENT FOR CONSULTATION AND OTHER SERVICES

This Amendment is entered into this 1st day of December 2009, by and between the City of Milpitas and the Milpitas Redevelopment Agency, collectively referred to herein as the ("City"), and Pacific Geotechnical Engineering ("Consultant").

RECITALS

WHEREAS, the parties entered into an Agreement for professional design services on April 1, 2009, for the Milpitas Senior Center Improvements (Project No. 8176) with a total compensation for Basic Services, Additional Services, Reimbursable Services, and Contingency not to exceed $18,000.00 on April 1, 2009.

WHEREAS, the parties desire to amend the Agreement to allow CONSULTANT to provide professional geotechnical engineering and inspection services necessary for construction of the Milpitas Senior Center project.

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

1. Section 1, entitled "Services" is amended by adding Exhibits **"A-1"**, which are attached hereto and incorporated by reference herein.

2. Section 2, entitled " Compensation " is amended to add Exhibit **"B-1"**, 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-1**" is a "not to exceed" amount. The total maximum amount of compensation to be paid for tasks outlined in Exhibits "**B-1**" shall be **$5,000.00** paid for from the additional services line item of the original contract.

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

This Amendment is executed as of the date written above.

APPROVED BY:

CITY OF MILPITAS

As to Content:

_____
Greg Armendariz,
Public Works Director/City Engineer

_____
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

CONSULTANT
PACIFIC GEOTECHNICAL ENGINEERING

_____
Peter Anderson
Owner & Principal

Exhibit A-1
Scope of Services
Milpitas Senior Center

Construction Support Services:

- Observation of foundation excavations before placement of reinforcement steel and concrete
- Intermittent observation and field compaction (in-place density) testing during subgrade preparation and placement of fill (including "non-expansive" fill) within the existing library area during renovation
- Engineering supervision and consultation during construction of the building pad and foundations regarding issues that may arise
- All field observation services will be provided with a 24-hour advance notification
- Provide on call testing and field observation as requested by the City.
- Additional laboratory tests for the non-expansive fill for the building pad, inspections and compaction testing.
- Final Inspection report for services and observations included in this Amendment.

Exhibit B-1
Rate Schedule

Compensation shall be based upon Time and Materials not to exceed the amounts shown below;

Field Visits				
Drilled piers & soil compaction	2 trips	4hr	$120	$ 960
Grade beams & footings	2 trips	4hr	$120	$ 960
Expenses				
Vehicles trip & usage		2hr	$ 40	$ 80
Supervision and Reports				
Project Manager		8hr	$175	$1400
Project Engineer		0	$130	$ 0
Administration support		4hr	$ 65	$ 260
Subtotal:				**$3660**
City requested Contingency Additional services :				$1,340

See Master Agreement for fee schedule and list of itemized services.
Consultant shall not proceed with use of contingency unless directed in writing by City.

Total Shall not Exceed: $5000

Consultant may shift allocation of budget among tasks with prior written approval of the CITY.

The monthly invoice shall describe the topics and tasks completed during by consultant and subconsultants. The invoice shall list the hours expended with personnel charge rates, and reimbursable expenses, in accordance with "Item B - 1 Rate Schedule", incorporated herein. The hourly rates shown on each schedule are fixed for the project. The invoice shall also show the total to be paid for the invoice period. A budget summary shall be included on the front page of the invoice and shall show the total budget amount, total amount billed to date, and the budget balance.