



AMENDMENT NO 2 TO THE AGREEMENT
WITH
TELECOMMUNICATIONS ENGINEERING ASSOCIATES
FOR
CONSULTATION AND OTHER SERVICES

This Amendment is entered into this 8th day of August, 2012, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "CITY") and **Telecommunications Engineering Associates**, (hereafter referred to as "CONSULTANT").

RECITALS

WHEREAS, the parties entered into an Agreement for professional consulting, on November 13, 2007, which was approved by City Council on November 27, 2007; and

WHEREAS, the parties desire to amend the Agreement to allow CONSULTANT to provide additional services under the contract.

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

1. Section 1, Item 1.1 Term of Service is hereby extended two years until November 13, 2014, with an option for two additional years until November 13, 2016.
2. EXHIBIT B, COMPENSATION SCHEDULE shall remain the same, per the email from Daryl Jones dated 6/28/2012, attached. However the City reserves the right to delete line items at no cost to the City, or add line items with the cost to the City to be determined at the time of their addition.
3. All other provisions of the Agreement shall remain in full force and effect.

This Amendment is executed as of the date written on above.

APPROVED BY:
CITY OF MILPITAS

TELECOMMUNICATIONS
ENGINEERING ASSOCIATES

City Manager, Thomas C. Williams

Name & Title

Approved As
To Content:

ATTEST:

City Project Manager, Bill Marion

Mary Lavelle, City Clerk

Approved As
To Form:

City Attorney, Michael J. Ogaz

Christopher Schroeder

From: Daryl Jones [daryl@tcomeng.com]
Sent: Thursday, June 28, 2012 10:39 AM
To: Christopher Schroeder
Subject: Re: FW: Milpitas Contract Extension

These dates and the original terms and conditions are acceptable to us.

Daryl

On 6/28/2012 9:30 AM, Christopher Schroeder wrote:

The dates were wrong on the first thread and have been corrected. Please confirm that these terms are acceptable to you.

From: Christopher Schroeder
Sent: Wednesday, June 27, 2012 4:09 PM
To: 'Daryl Jones'
Subject: Milpitas Contract Extension
Importance: High

I talked with Legal and Bill Marion, we would like to add an option for two more years, making it a possible total of four provided you are will to accept the same term, conditions, and pricing. Is that acceptable to you?

From: Christopher Schroeder
Sent: Tuesday, June 19, 2012 4:36 PM
To: 'Daryl Jones'
Cc: Bill Marion
Subject: RE: FW: Contract Extension

Understood.

From: Daryl Jones [mailto:daryl@tcomeng.com]
Sent: Tuesday, June 19, 2012 4:04 PM
To: Christopher Schroeder
Cc: Bill Marion
Subject: Re: FW: Contract Extension

It could potentially increase the cost of the contract.

On 6/19/12 3:59 PM, Christopher Schroeder wrote:

Your idea is a good one and acceptable to the City. However if we added items would that increase the cost of the contract?

From: Daryl Jones [mailto:daryl@tcomeng.com]

6/28/2012

Sent: Tuesday, June 19, 2012 3:56 PM
To: Christopher Schroeder
Cc: Bill Marion
Subject: Re: Contract Extension

This is acceptable to us, however I recommend the City also reserve the right to add items when necessary. It will almost certainly be necessary to add/substitute items over the course of two years.

-Daryl

On 6/19/12 3:52 PM, Christopher Schroeder wrote:

It is Bill Marion's intent that the contract should be extended for two years. The agreement officially started on November 13, 2007. Therefore a two year extension would take it to November 13, 2014 and the two option years if exercised would take it to November 13, 2016 . The City would like to keep the terms, conditions and pricing the same as before, except that we reserve the right to remove line items as needed. If this is ok with you please confirm by return email.

Sincerely

Chris Schroeder
Purchasing Agent
City of Milpitas
408-687-1639