

**AMENDMENT NO. 4 TO AGREEMENT**  
**FOR CONSULTING SERVICES BETWEEN THE CITY OF MILPITAS**  
**AND CALRECOVERY INC.**

This Amendment No. 4 is entered into this 20th day of August, 2013, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "CITY") and CalRecovery Inc., a California corporation (hereafter referred to as "CONSULTANT").

**RECITALS**

WHEREAS, the parties entered into an Agreement entitled "CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF MILPITAS AND CALRECOVERY, INC." dated April 14, 2009 ("Agreement"); and

WHEREAS, the parties entered into Amendment No. 1 to the Agreement on May 18, 2010 to increase the total compensation from \$15,000 to \$25,000 for additional solid waste support services; and

WHEREAS, the parties entered into Amendment No. 2 to the Agreement on June 19, 2012 to increase the total compensation from \$25,000 to \$29,000 for additional solid waste support services; and

WHEREAS, the parties entered into Amendment No. 3 to the Agreement on April 2, 2013 to increase the total compensation from \$29,000 to \$49,000 for additional solid waste support services; and

WHEREAS, the parties desire to amend the Agreement to increase the compensation to provide for additional CONSULTANT services;

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

1. Section 2, entitled "Compensation" is amended to read as follows:

"City hereby agrees to pay CONSULTANT a guaranteed maximum price not to exceed sixty-nine thousand dollars (\$69,000) for all services to be performed and reimbursable costs incurred under this Agreement."
2. The Consultant agrees to maintain and pay for all insurance policies as stated in Section 4, entitled "Insurance Requirements" of the Agreement dated August 14, 2009 between CONSULTANT and CITY throughout the term of the Agreement. CONSULTANT shall provide the City with renewal certificates of the current policies upon the expiration of the current policy.

3. All other provisions of the amended Agreement shall remain in full force and effect.

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

APPROVED BY:

CITY OF MILPITAS

CONSULTANT

-----  
Thomas C. Williams, City Manager

-----  
George Savage, Executive Vice President

-----  
Jeff Moneda, City Engineer

APPROVED AS TO FORM:

-----  
Michael J. Ogaz, City Attorney