CITY OF MILPITAS CONTRACT

Project: On-Call Sidewalk Repair, Curbs & Gutters at Various City of Milpitas Sites
IFB No: 2101
Annual Amount of Contract: $336,250.00

THIS CONTRACT, made this 5th day of August, 2015, by and between the City of Milpitas, hereinafter referred to as "City" and **J.J.R. Construction**, a California corporation, hereinafter referred to as "Contractor",

WITNESSETH:

A. WHEREAS, the City of Milpitas has caused specifications, drawings and other contract documents, hereinafter referred to as "Specifications", to be prepared for certain work on the referenced project; and

B. WHEREAS, said Specifications include:

1. Notice of Invitation For Bids
2. Technical Specifications
3. Instructions To Bidder
4. Terms and Conditions
5. Special Provisions For Services
6. Drawings
7. Addenda
8. Bid Forms
9. Non-Collusion Affidavit
10. Bidder's Statement Regarding Insurance Coverage
11. Worker's Compensation Insurance Certificate
12. Apprenticeship Standards Certificate
13. Nondiscriminatory Employment Certificate
14. References
15. Subcontractors List
16. Subcontractors Acceptance of Solicitation Requirements
17. Local Purchasing Preference Certificate
18. Payment Bond
19. Exhibit A, B & C

C. WHEREAS, Contractor has offered to perform the proposed work in accordance with the terms of said Specifications as set forth by submission of the Contractor's Bid and further as agreed upon by the parties as set forth herein;

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties contained in said Specifications and Contractor's Bid, which are made a part hereof as though fully set forth, Contractor hereby agrees to complete the work at the

prices and on the terms and conditions therein contained, and the City of Milpitas hereby employs the Contractor and agrees to pay the Contractor the contract prices therein provided for the fulfillment of the work and the performance of the covenants therein set forth.

1. The initial term of this Contract is for one (1) year from August 5, 2015 to August 4, 2016 (the "Initial Term"), provided the City reserves the right at its sole discretion to extend this Contact on an annual basis for up to an additional four (4) years by providing written notice to Contractor prior to the expiration of the then applicable term and in the form attached hereto as "Exhibit A - Notice of Exercise of Option to Extend Agreement". City will make monthly payments within thirty (30) days of receipt of each approved invoice.

IN WITNESS WHEREOF, this contract has been executed on the day and year first above written.

CITY OF MILPITAS,
A Municipal Corporation

_____
Thomas C. Williams, City Manager

Approved As
To Form:

_____
Gary M. Baum
Interim City Attorney

Approved As
To Content:

_____
David Gordillo, City Project Manager

ATTEST BY:

_____
Marry Lavelle, City Clerk

J.J.R. Construction

_____
Name of Authorized Representative

_____
Title of Authorized Representative

_____
Business Address

_____
Telephone #

_____
E-Mail Address

_____
City of Milpitas Business License No.:

FEIN: _____

EXHIBIT A - NOTICE OF EXERCISE OF OPTION TO EXTEND GREEMENT

AGREEMENT TITLE and DATE:	
CONTRACTOR Name and Address:	
DATE OF OPTION:	

(date the notice is sent must be consistent with the time for exercise set forth in Agreement)

Pursuant to the Terms and Conditions of the Agreement referenced above, the City of Milpitas hereby exercises its option to extend the term under the following provisions:

OPTION NO.	

NEW OPTION TERM

Begin date:	
End date:	

□ **CHANGES IN RATE OF COMPENSATION**

Percentage change in ___ index upon which adjustment is based:	

Pursuant to Section ___ of the Agreement the Rates of Compensation are hereby adjusted as follows:
(use attachment if necessary)

MAXIMUM COMPENSATION for New Option Term:	

For the option term exercised by this Notice, City shall pay Contractor an amount not to exceed the amount set forth above for Contractor's services and reimbursable expenses, if any. The undersigned signing on behalf of the City of Milpitas hereby certifies that an unexpended appropriation is available for the term exercised by this Notice, and that funds are available as of the date of this signature.

CITY OF MILPITAS a municipal corporation By_____ Name: Chris Schroeder Title: Purchasing Agent	CONTRACTOR By_____ Name: Title: