



AMENDMENT NO 1 TO THE AGREEMENT
WITH
J.J.R. CONSTRUCTION
FOR
ON-CALL SIDEWALK REPAIR, CURBS & GUTTERS
AT VARIOUS CITY OF MILPITAS SITES

This Amendment is entered into this 5th day of October 2016, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "CITY") and **J.J.R. Construction**, a California corporation, (hereafter referred to as "CONTRACTOR").

RECITALS

WHEREAS, the parties entered into an Agreement for On-Call Sidewalk Repair, Curbs & Gutters at Various City of Milpitas Sites for Three Hundred Thirty-Six Thousand Two Hundred Fifty dollars and Zero cents (\$336,250.00) for one year with an option for up to four (4) additional years, on August 5th 2015, which was approved by City Council on August 4th, 2015; and

WHEREAS, the parties desire to amend the Agreement to allow CONTRACTOR to provide increased services on a one time basis to clear a significant backlog of sidewalk repairs within the city.

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

1. The cost of the contract shall be increased by Three Hundred Eighty-Eight Thousand Seven Hundred Fifty dollars and Zero cents (\$388,750.00) to an annual total not-to-exceed amount of Seven Hundred Twenty-Five Thousand dollars and Zero cents (\$725,000.00) for the second year of the contract only for the period August 5th 2016 to August 4th 2017.
2. All other provisions of the Agreement not amended by this Amendment No. 1 shall remain in full force and effect.

This Amendment is executed as of the date written above.

APPROVED BY:

CITY OF MILPITAS

J.J.R. Construction

Thomas C. Williams, City Manager

Carlos Raposa, Vice President

Approved As
To Form:

Christopher J. Diaz, City Attorney

**City of Milpitas, California
BUDGET CHANGE FORM**

Type of Change	From		To	
	Account	Amount	Account	Amount
Check one:	330-2931	455,000	331-951-3426-7-4800	455,000
<input checked="" type="checkbox"/> Budget Appropriation	331-951-3426-15-3899	455,000	330-3999	455,000
<input type="checkbox"/> Budget Transfer				

Approve and Authorize the City Manager to Execute Amendment No. 1 to the Agreement with J.J.R. Construction to Increase the Amount of the Contract for Year Two Only by \$388,750.00 and Appropriate Additional General Government CIP Funds in the Amount of \$455,000 (Staff Contact: Nina Hawk, 586-2603 and Chris Schroeder, 586-3161)

Background: On August 5, 2015, the City entered into a Contract with J.J.R. Construction to provide on-call services related to sidewalk repair, curbs, and gutters at various locations throughout the City. The total annual contract for these services was \$336,250. Driven by an increase in customer service needs and requests, staff have identified numerous locations throughout the City in need of sidewalk, curb, and gutter repairs. Following an assessment of the significant backlog of sidewalk repair requests, staff determined through site inspection that more than 40 sites warrant urgent repair. Staff is requesting amendment to the contract and appropriation of funds in order to address locations currently on the repair list and anticipated locations that will be added throughout FY 2016-17. This change will increase the total value of the contract to \$725,000 for year-two.

Fiscal Impact: Appropriate \$455,000 from General Government CIP Fund to CIP 3426 Annual Sidewalk, Curb, and Gutter Repair.

Recommendation: Authorize the City Manager to execute amendment No. 1 to the contract with J.J.R. Construction to increase the amount of the contract for year two only by \$388,750, and appropriate funds from General Government CIP in the amount of \$455,000 to project CIP 3426.

Check if City Council Approval required.

Meeting Date: October 4, 2016

Requested by:	Nina Hawk, Public Works Director	Date:	
Reviewed by:	Finance Director:	Date:	9/26/2016
Approved by:	City Manager:	Date:	
Date approved by City Council, if required:		Confirmed by:	