FOURTH AMENDMENT TO AGREEMENT BETWEEN
THE CITY OF MILPITAS AND BURKE, WILLIAMS & SORENSEN, LLP

THIS AMENDMENT is entered into this 20th day of June, 2017, by and between the City of Milpitas, hereinafter “City,” and Burke, Williams & Sorensen, LLP, hereinafter “Burke.” City and Burke may be jointly referred to herein as “the parties.”

Recitals:

Whereas, on February 3, 2015, the parties entered into a written Agreement for Legal Services (the “Agreement”), with a maximum compensation amount payable to Burke of $50,000.00; and

Whereas, on August 4, 2015, the parties entered into the First Amendment to the Agreement (“First Amendment”), which provided for additional legal services work to be performed by Burke for additional compensation of $120,000.00; and

Whereas, on March 15, 2016, the parties entered into the Second Amendment to the Agreement, which provided for additional legal services to be performed by Burke for additional compensation of $35,000.00; and

Whereas, on December 6, 2016, the parties entered into the Third Amendment to the Agreement, which provided for additional legal services to be performed by Burke for additional compensation of $55,000.00; and

Whereas, the parties wish to further amend the Agreement as set forth below.

NOW, THEREFORE, IT IS HEREBY AGREED as follows:

1. The legal services to be performed under the Agreement are continued through the month of May, 2017.

2. The heretofore combined total maximum compensation amount provided for in Section 3 of the Agreement, and Section C of Exhibit B to the Agreement, entitled “Compensation” and in the First, Second and Third Amendments to the Agreement was $240,000.00. This Fourth Amendment shall further amend the combined total maximum compensation amount by the addition of $6,891.65, for a new combined, total maximum amount of $246,891.65.

3. All other terms and conditions remain unchanged.

APPROVED BY:

CITY OF MILPITAS

By: ________________________________
   Steve J. Pangelinan, Acting City Manager

BURKE, WILLIAMS & SORENSEN, LLP

By: ________________________________
   John Welsh, Managing Partner

APPROVED AS TO FORM:

By: ________________________________
   Christopher J. Diaz, City Attorney