



AMENDMENT NO. 1
TO THE
MAINTENANCE SERVICE AGREEMENT
WITH
TECHNOLOGY, ENGINEERING & CONSTRUCTION, INC. dba TEC ACCUTITE
FOR
ABOVEGROUND AND UNDERGROUND STORAGE TANK
MAINTENANCE AND CERTIFICATION SERVICES

This Amendment is entered into this _____ day of _____, 2020, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "City") and **Technology, Engineering & Construction, Inc., dba TEC Accutite**, a corporation with its principal place of business at **111 North Market Street, San Jose, CA 95113** (hereinafter referred to as "Contractor"). City and Contractor are sometimes individually referred to as "Party" and collectively as "Parties" in this Amendment.

RECITALS:

WHEREAS, on November 14, 2019, the Parties entered into a five-year agreement for Aboveground and Underground Storage Tank Maintenance and Certification Services, for the not-to-exceed amount of \$245,250.00 (the "Agreement"); and

WHEREAS, the Parties wish to amend Section 1.03 Facilities of the Agreement to correct the site locations of two storage tanks and add three new site locations to the section, increase the total compensation in Section 3.3.1 to the not-to-exceed amount of \$296,250.00, and to revise Exhibit "C" COMPENSATION with a revised table with updated quantities of services.

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

1. Amend Section 1.03 Facilities by deleting it in its entirety and replacing it with the following:

1.03 Facilities (Revised January 2020)

The Contractor shall provide services at the following facilities:

Underground Fuel Tanks			
Site Name	Address	Type	Capacity (gallons)
Berryessa Storm Pump Station	731 Folsom Circle	Diesel UST	1,000
Corporation Yard	1265 N Milpitas Blvd	Gasoline UST	12,000
Corporation Yard	1265 N Milpitas Blvd	Diesel UST	12,000
Jurgens Storm Pump Station	345 Jurgens Drive	Diesel UST	2,000
Penitencia Storm Pump Station	944 LaHonda Drive	Diesel UST	1,000
Pinewood Well	227 Lonetree Court	Diesel UST	1,000
Aboveground Fuel Tanks			
Site Name	Address	Type	Capacity (gallons)
Bellew Storm Pump Station	418 Murphy Ranch	Diesel AST GenSet	1,450
California Circle Storm Pump Station	1735 California Circle	Diesel AST	1,000

City Hall	455 E Calaveras Blvd.	Diesel AST GenSet	200
Fire Station 1	777 S Main Street	Gasoline AST	1,000
Fire Station 1	777 S Main Street	Diesel AST	1,000
Fire Station 1	777 S Main Street	Diesel AST GenSet	300
Fire Station 2	1263 Yosemite Drive	Diesel AST	1,000
Fire Station 3	45 Midwick Drive	Diesel AST	500
Fire Station 4	775 Barber Lane	Diesel AST	2,000
Fire Station 4	775 Barber Lane	Diesel AST GenSet	62
Gibraltar Water Pump Station	641 Gibraltar Court	Diesel AST	10,000
Gibraltar Water Pump Station	641 Gibraltar Court	Diesel AST GenSet	350
Main Lift Sewage Pump Station	1425 N. McCarthy Blvd.	Diesel AST	2,000
Manor Storm Pump Station	349 Marylinn Drive	Diesel AST GenSet	400
McCarthy Storm Pump Station	1001 N. McCarthy Blvd	Diesel AST	2,000
Milpitas Sports Center	1325 E Calaveras Blvd	Diesel AST GenSet	643
Murphy Ranch Storm Pump Station	801 Murphy Ranch	Diesel AST	2,000
Oak Creek Storm Pump Station	1521 McCarthy Blvd.	Diesel AST	2,000
Wrigley Ford Storm Pump Station	75 Marylinn Drive	Diesel AST	500
Zone 2 (Ayer) Water Pump Station	1429 E. Calaveras Blvd	Diesel AST	1,000

2. Amend Section 3.3.1 Compensation by adding \$51,000.00 for a new total not-to-exceed amount of \$296,250.00.
3. Exhibit C hereby deleted in its entirety and replaced with Exhibit C (Revised January 2020), attached hereto and incorporated herein by this reference.
4. All other provisions of the Agreement not amended by this Amendment No. 1 shall remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

This Amendment No. 1 is executed as of the date first written on page one.

APPROVED BY:
CITY OF MILPITAS

TECHNOLOGY, ENGINEERING &
CONSTRUCTION, INC.
DBA TEC ACCUTITE

Steve McHarris, Interim City Manager

Signature of Authorized Representative

APPROVED AS TO FORM

Name of Authorized Representative

Christopher J. Diaz, City Attorney

Title of Authorized Representative

APPROVED:

Walter C. Rossmann
Director of Finance/Risk Manager

APPROVED AS TO SCOPE:

Tony Ndah
Director of Public Works

Exhibit "C"
COMPENSATION (Revised January 2020)

Description	Quantity	Unit	Total	Unit Cost	Revised Total
Monthly Inspection (UST)	6	each	72	\$100.00	\$7,200.00
Annual Monitoring System Certification (UST/AST)	26	each	26	\$400.00	\$10,400.00
Annual Overfill Prevention Equipment Inspection (UST/AST)	26	each	26	\$350.00	\$9,100.00
Annual Spill Container Testing (UST)	6	each	6	\$50.00	\$300.00
SB 989 Triennial Secondary Containment Testing (UST)	6	each	6	\$900.00	\$5,400.00
Annual Designated Operator Employee Training (UST/AST)	1	each	1	\$350.00	\$350.00
Annual Secondary Containment Testing (AST)	20	each	20	\$500.00	\$10,000.00
Integrity Testing (AST)	20	each	20	\$750.00	\$15,000.00
Annual Gasoline Dispensing Facility Testing (Corporation Yard & Fire Station 1)	2	each	2	\$250.00	\$500.00
Annual California Air Resources Board Vapor Recovery Certification (Corporation Yard & Fire Station 1)	2	each	2	\$500.00	\$1,000.00
Total					\$59,250.00