



**AMENDMENT NO. 1
TO DESIGN SERVICES AGREEMENT
WITH
GROUP 4 ARCHITECTURE RESEARCH + PLANNING, INC.
FOR
CITY HALL SPACE PLANNING SERVICES**

This Amendment No. 1 is entered into this 6th day of October 2020, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "City"), and **Group 4 Architecture Research + Planning, Inc.**, a California Corporation (hereafter referred to as "Designer"). City and Designer are sometimes individually referred to as "Party" and collectively as "Parties" in this Amendment No 1.

RECITALS

WHEREAS, on January 2, 2019, the Parties entered into a Design Services Agreement for City Hall Space Planning Services (the "Agreement") in an amount not to exceed \$150,000.00, and with a term period of January 2, 2019 to January 1, 2020; and

WHEREAS, the Parties now desire to amend the Agreement by retroactively extending the term period expiration date of January 1, 2020 to October 6, 2020, and to amend the Scope of Services by stopping all work.

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

1. The first sentence of Section 3.12 Term is hereby amended to read as follows:

"The term of this Agreement shall be from **January 2, 2019 to October 6, 2020**, unless earlier terminated as provided herein."
2. In accordance with item 3.12 "Termination, Suspension, and Abandonment" The City reserves the right to suspend or abandon, at any time and for any reason, all or any portion of the Project and the construction work thereon, or to terminate this Agreement at any time with or without cause. There fore the parties agree that all work scheduled under the "Designers Scope of Services" (Exhibit A) to the agreement shall cease immediately upon execution of this amendment.
3. The parties agree that Designer shall be paid for all work preformed through the date of execution of this amendment. The partiers agree that the agreement shall terminate on October 6, 2020 or upon final payment of any outstanding invoices.

4. Upon termination Designer shall provide to City all preliminary studies, sketches, working drawings, specifications, computations and all other Project Documents, as to which City would have been entitled at the completion of Designer's Services under this Agreement Upon payment of the amount required to be paid to Designer pursuant to the termination provisions of this Agreement

5. All other provisions of the Agreement not amended by this Amendment No. 1 shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment No. 1 as of the date first written above.

CITY OF MILPITAS

Approved By:

Steven G. McHarris, City Manager

Date

Approved As To Form:

Christopher J. Diaz, City Attorney

Approved:

Walter C. Rossmann, Risk
Manager/Director of Finance

Approved As To Content:

Tony Ndah, Public Works Director

**GROUP 4 ARCHITECTURE
RESEARCH + PLANNING, INC.**

Signature

Name

Title

Date

DIR Registration Number (If
Applicable)