



City of Milpitas

Amendment Approval

Date Requested 9/23/21	Requesting Department Engineering	Requestor Michael Silveira	Extension 3303	Fiscal Year FY 2020/21
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Contract Name/ Description
GIS Data Verification and Updates

Vendor Number 14766	Vendor Name Psomas	Vendor Email Cgooch@psomas.com	Vendor Telephone 310-954-3700
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Vendor Address 11444 West Olympic Boulevard Suite 750 West Los Angeles CA 90064	Ship to Address
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Please provide a brief description of the approval request Request to amend the agreement to extend the expiration date of the agreement by six months.	Applicable Terms and Conditions Contract
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APPROVAL REQUESTED BY:	APPROVAL DATE	REVIEWER INITIALS	REVIEW DATE
Department Head <i>Steve Erickson</i>	Sep-24-2021	CAO	
Finance Director/ Risk Manager <i>[Signature]</i>	Sep-26-2021	Insurance	
City Manager <i>[Signature]</i>	Sep-27-2021	Accounts Payable	

Terms of the Contract

Solicitation process required? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If conducted, total number of Proposals/ Bids received:	Release Date:
Initial Not-to-Exceed Contract Amount \$154,025.00	Start Date: 07/01/2019	End Date: 10/01/2021
Previous Amendments' Contract Amount (if any) \$92,303.00	Extend to Date: 04/01/2022	Did the Contract/ Amendment go to Council for Approval? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Current Amendment Contract Amount (if any) \$0.00	If yes, on what date? 6/2/20	
Total Contract Amount with Amendments \$246,328.00		

For Accounting Use Only

Signature Approval:	Commodity Code:	Agreement Dated:	If Depreciable, Use PO #: (EQ)
CIP Budget Check:	Ship to Code:	Batch # :	Insurance Expires:
Acct. Code Check:	PO Entered on:	PO # :	PO Entered by:

AMENDMENT NO. 3
TO PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF MILPITAS
AND PSOMAS

This Amendment No. 3 is entered into this 1st day of October 2021, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "City") and Psomas, a California Corporation (hereafter referred to as "Consultant"). City and Consultant maybe individually referred to herein as "Party" or jointly as the "Parties."

RECITALS:

WHEREAS, the Parties entered into a Professional Services Agreement on July 1, 2019, for GIS data verification and update services for the maximum compensation amount of \$154,025, and with a term period of July 1, 2019, through April 1, 2020(the "Agreement"); and

WHEREAS, on April 1, 2020, the Parties entered into Amendment No. 1 to the Agreement to extend the expiration date of the Agreement by six months to allow the Consultant additional time to complete the verification, evaluation, and update of City utility information in the City's GIS system, and to make ministerial changes to the Agreement; and

WHEREAS, on October 1, 2020, the Parties entered into Amendment No. 2 to the Agreement to further extend the expiration date of the Agreement by one additional year to allow Consultant to perform mapping signalized intersections, interconnections between signals, and fiber throughout the City, and to increase the maximum compensation amount by \$92,303.00 to allow for these further services.

WHEREAS, the Parties now desire to amend the Agreement to extend the expiration date of the Agreement by six months to allow CONSULTANT additional time to complete the verification, evaluation, and update of City signalized intersections, interconnections between signals, and fiber in the City's GIS system, as described in Exhibit A and A-1 to the Agreement, and to make ministerial changes to the Agreement.

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

1. Section 5, entitled "Time of Performance," is hereby amended to read as follows:

"The term of this Agreement shall be from October 1, 2021, to April 1, 2022, unless earlier terminated as provided herein. Consultant shall complete the services within the term of this Agreement and shall meet any other established schedules and deadlines."

2. The Consultant agrees to maintain and pay for all insurance policies as stated in Section 11, entitled "Insurance" of the Agreement. The Consultant shall provide the City with renewal certificates of the current policies upon the expiration of the current policies.


3. Except as amended by this Amendment No. 3, all provisions of the Agreement shall remain unchanged and in full force and effect. From and after the date of this Amendment No. 3, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this Amendment No. 3.
4. The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment No. 3.
5. If any provision of this Amendment No. 3 shall be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Amendment No. 3 unless elimination of such provision materially alters the rights and obligations set forth herein.

IN WITNESS WHEREOF, the Parties have entered into this Amendment No. 3 as of the 1st day of October 2021.

CITY OF MILPITAS

PSOMAS

Approved By:

DocuSigned by:

 Steven G. McHarris, City Manager
 sep-27-2021


 Craig Gooch, Vice President

Date

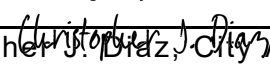
9/24/2021
Date

Approved:


DocuSigned by:

 Lauren Lai,
 Finance Director/Risk Manager

Approved As To Form:

DocuSigned by:

 Christopher J. Diaz, City Attorney

Approved As To Content:

DocuSigned by:

 Steve Erickson,
 City Engineer/Director of Engineering