

AMENDMENT NO. 2
TO THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF MILPITAS AND
ALTA PLANNING + DESIGN INC.



FOR
TRAILS AND BIKEWAY PEDESTRIAN MASTER PLAN UPDATE

This Amendment No. 2 is entered into this ____ 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 Alta Planning + Design Inc., a California corporation (hereafter referred to as "Consultant"). City and Consultant are sometimes individually referred to as "Party" and collectively as "Parties" in this Amendment No 2.

RECITALS:

WHEREAS, on February 20, 2019, the Parties entered into a Professional Services Agreement for Trails and Bikeway Pedestrian Master Plan Update (the "Agreement") for the maximum amount of \$193,183.00, and with a term period of February 20, 2019 to June 30, 2020; and

WHEREAS, on May 19, 2020, the Parties entered into Amendment No. 1 to the Agreement, which extended the end date of the term period to December 30, 2020; and

WHEREAS, the Parties now desire to further amend the Agreement to increase the compensation amount by \$36,219.00, extend the term period end date through December 31, 2021, and revise the Scope of Work and Project Budget accordingly.

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

1. Section 2. Compensation, subsection b. - the first line is hereby amended to read as follows: "In no event shall the total amount paid for services rendered by Consultant under this Agreement exceed the sum of Two Hundred and Twenty-Nine Thousand Four Hundred Two Dollars and Zero Cents (\$229,402.00)."
2. Section 5. Term of Performance- the first line is hereby amended to read as follows: "The term of this agreement shall be from **February 20, 2019 to December 31, 2021**, unless earlier terminated as provided herein."
3. **Exhibit A** (Scope of Services) to the Agreement is deleted and replaced with **Exhibit A-1** (Scope of Services), attached hereto and incorporated herein.
4. **Exhibit B** (Fee and Schedule of Charges/Payments) to the Agreement is deleted and replaced with **Exhibit B-1** (Fee and Schedule of Charges/Payments), attached hereto and incorporated herein.
5. All other provisions of the Agreement not amended by this Amendment No. 2 shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment No. 2 as of the date first written above.

[SIGNATURES ON THE FOLLOWING PAGE]

**SIGNATURE PAGE OF AMENDMENT NO. 2
TO PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF MILPITAS AND
ALTA PLANNING + DESIGN INC.**

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:

Steve Erickson, Engineering Director/City
Engineer

ALTA PLANNING + DESIGN INC.

Signature

Name

Title

Date

DIR Registration Number (If
Applicable)