

First

Amendment to Master City of San José Consultant Agreement

(Capital Projects)

Second

Third

Consultants Name: David J. Powers & Associates, Inc.

**(CPMS Contract No. 8292-1)
(Master Agreement AC No. 28650)**

This Amendment to the Master Agreement is made and entered into this _____ day of _____, 2022. The City and the Consultant amend the above-referenced agreement as set forth herein.

1. Capitalized words in this Amendment have the same meaning as in the Master Agreement.
2. The provisions of this Master Agreement (including any previous amendments) not modified by this Amendment remain in full force and effect.
3. The provisions of this Amendment are effective upon execution of the Amendment by both parties.

4. **Agreement Term:** Section 2 is amended to extend the expiration date from January 31, 2022 to January 31, 2029.
5. **Maximum Total Compensation:** Subsection 10.1 is amended to Increase Decrease the Maximum Total Compensation from \$_____ to \$_____.
6. **Agreement Section(s):** Section(s) _____ is/are amended to read as set forth in Attachment A of the Amendment.
7. **Schedule of Rates and Charges – Exhibit B:** The original First Revised Second Revised Third Revised Exhibit B is amended to read as set forth in the attached First Second Third Revised Exhibit B, which is incorporated by reference into this Amendment.

This Amendment is executed by the authorized representatives of the City and Consultant as follows:

City of San José

Consultant

By _____

By _____

Name: Toni Taber
Title: City Clerk
Date

Name: Akoni Danielsen
Title: President
Date

Approval as to Form (City Attorney):

Form Approved by the Office of the City Attorney.

(The Maximum Total Compensation, as amended, is \$100,000 or less, and the provisions of the form are not altered.)

Approved as to Form:

By _____

Jennifer Pousho
Sr. Deputy City Attorney
Date

Name: Shannon George
Title: Vice President
Date

First

Second

Third

Attachment A

Agreement Provision Amendment(s)

(Capital Projects)

This Attachment A is an attachment to the First Second Third amendment to Master Agreement.

The Section(s) set forth in the original Master Agreement, or in any previous amendment to the original Master Agreement, is/are amended as follows:

2. AGREEMENT TERM

The term of this Master Agreement is from the Contract Date to January 31, 2029, inclusive, unless terminated earlier pursuant to Section 19 below.