

**FIRST AMENDMENT TO FUNDING AGREEMENT BETWEEN
THE CITY OF SAN JOSE AND EAST SIDE UNION HIGH SCHOOL
DISTRICT RELATING TO INSTALLATION OF A COMMUNITY
WIRELESS NETWORK IN THE DISTRICT**

This First Amendment to the Funding Agreement between the East Side Union High School District (“DISTRICT”), a political subdivision of the State of California, and the City of San José (“CITY”), a municipal corporation of the State of California, is entered into on the date of execution by City (“Effective Date”). DISTRICT and CITY are sometimes referred to herein individually as a “Party” and collectively as the “Parties.”

RECITALS

WHEREAS, on October 28, 2016, CITY and DISTRICT entered into an agreement entitled “Funding Agreement Between the City of San José and East Side Union High School District Relating to Installation of a Community Wireless Network in the District (“FUNDING AGREEMENT”); and

WHEREAS, on October 5, 2016, CITY and DISTRICT entered an agreement entitled “Agreement for East Side Union High School District Community Wi-Fi Deployment Between the City of San José and SmartWAVE Technologies LLC” (“SMARTWAVE AGREEMENT”); and

WHEREAS, CITY and DISTRICT share the common goal of providing greater access to the internet for student and resident within the boundaries of the DISTRICT in San José (“District Community Wireless Project” or “Project”); and

WHEREAS, the DISTRICT’s purpose in supporting the Project is to advance student academic achievement, provide opportunities for students to research career and university possibilities, and to foster student safety during out of school time by equipping and enhancing the DISTRICT’s school facilities technology resources in connection with the construction, reconstruction, rehabilitation, and replacement of the DISTRICT’s school facilities; and

WHEREAS, the CITY has incurred and will incur certain expenses pursuant to this FUNDING AGREEMENT relating to (i) the installation, monitoring and maintaining of equipment for the purpose of establishing wireless access points at various CITY facilities such as light poles, traffic signals, towers, community centers and other CITY-owned structures to modernize, integrate and enhance existing DISTRICT technological equipment and facilities and to support and enhance DISTRICT users’ (e.g., students and staff) access to the internet; (ii) management of the installation; and (iii) maintenance of the integrated wireless network; and

WHEREAS, the CITY and the DISTRICT have completed the installation of the Project within the James Lick High School attendance areas; and

WHEREAS, CITY and DISTRICT have evaluated the effectiveness of the network’s reliability and connectivity following completion of the James Lick attendance area and desire to proceed with installation for the William C. Overfelt attendance area; and

WHEREAS, the DISTRICT agrees to continue to support this Project for the above-stated purposes by funding the cost of the installation of wireless access points and startup and

maintenance of ongoing network services at mutually agreed upon CITY facilities including, but not limited to, light poles, traffic signals, towers, community centers and other CITY-owned structures, in connection with modernizing existing DISTRICT school facilities upon the terms and conditions stated in this FUNDING AGREEMENT; and

WHEREAS, CITY and DISTRICT now desire to amend the FUNDING AGREEMENT to revise cost estimates to reflect actual costs for the James Lick attendance area and update estimated costs for the William C. Overfelt and Yerba Buena attendance areas; and

NOW, THEREFORE, the Parties agree to amend the FUNDING AGREEMENT as follows:

SECTION 1. EXHIBIT B, “ESUHSD Community Wi-Fi City’s Resources Estimate May 2, 2016” is amended to read as shown in REVISED EXHIBIT B, which is attached hereto and incorporated herein.

SECTION 2. EXHIBIT C, “Estimated Project Cost,” is amended to read as shown in REVISED EXHIBIT C, which is attached hereto and incorporated herein.

SECTION 3. EXHIBIT D, “Agreement for East Side Union High School District Community Wi-Fi Deployment Between the City of San José and SmartWAVE Technologies LLC,” is hereby amended as set forth in REVISED EXHIBIT D (First Amendment to and SMARTWAVE AGREEMENT), which is attached hereto and incorporated herein.

SECTION 4. All terms and conditions of the original FUNDING AGREEMENT not modified by this First Amendment shall remain in full force and effect.

WITNESS THE EXECUTION HEREOF on the day and year set forth beneath the respective names below.

City of San José
a municipal corporation of the State of
California

East Side Union High School District
a political subdivision of the State of California

LELAND WILCOX
Chief of Staff
Date: _____

CHRIS D. FUNK
Superintendent
Date: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

ROSA TSONGTAATARII
Senior Deputy City Attorney

ROGELIO RUIZ
Rehon & Roberts, APC
Attorneys for the East Side Union High School District

REVISED EXHIBIT B

ESUHSD COMMUNITY WI-FI CITY'S RESOURCES ESTIMATE

- 1 Following are estimates for City Resources required to implement and support three attendance areas (based on 300-pole installation) as of May 2, 2016:

ESUHSD Community Wifi
City's Resources Estimate
May 2, 2016

ESUHSD Community Wifi Deployment - Estimated City's Support Cost - Program Level Estimate (+/- 35%)	Resources	Current FY			Overfelt FY16/17			James Lick FY17/18			Yerba Buena FY18/19		
		Hourly			Hourly			Hourly			Hourly		
		Hrs	Rate	Cost	Hrs	Rate	Cost	Hrs	Rate	Cost	Hrs	Rate	Cost
I - PROJECT FEASIBILITY PHASE													
A. Scoping, Scheduling, Funding, and Agreement													
	PW - R&B	100	145	\$14,500	60	148	\$8,880	40	152	\$6,080	40	157	\$6,280
	PW - ELECT	20	149	\$2,980	10	154	\$1,540	10	159	\$1,590	10	168	\$1,680
	PW - SECI	5	162	\$810	5	167	\$835	5	172	\$860	5	177	\$885
	PW - CMS	5	119	\$595	5	123	\$615	5	126	\$630	5	130	\$650
	PW - BUILDING	10	160	\$1,600	10	164	\$1,640	10	168	\$1,680	10	180	\$300
	DOT - SIGNAL/STREET LIGHT	10	83	\$830	5	86	\$430	5	88	\$440	5	91	\$455
	PBCE		149	\$0		154	\$0		159	\$0		168	
	CMO												
	IT												
	Subtotal			\$21,315			\$13,940			\$11,280			\$10,250
B. Project Development													
	PW - R&B		145	\$0	60	148	\$8,880	40	152	\$6,080	40	157	\$6,280
	PW - ELECT		149	\$0	30	154	\$4,620	30	159	\$4,770	30	168	\$5,040
	PW - SECI		162	\$0	5	167	\$835	5	172	\$860	5	177	\$885
	PW - CMS		119	\$0	2	123	\$246	2	126	\$252	2	130	\$260
	PW - BUILDING		160	\$750	20	164	\$3,280	20	168	\$3,360	20	180	\$3,600
	DOT - SIGNAL/STREET LIGHT		83	\$0	20	86	\$1,720	20	88	\$1,760	20	91	\$1,820
	PBCE		149	\$0		154	\$0		159	\$0		168	\$0
	CMO												
	IT												
	Subtotal			\$750			\$19,581			\$17,082			\$17,885
C. Environmental Review and Permit													
	PW - R&B		145	\$0	20	148	\$2,960	10	152	\$1,520	10	157	\$1,570
	PW - ELECT		149	\$0		154	\$0		159	\$0		168	\$0
	PW - SECI		162	\$0	10	167	\$1,670	10	172	\$1,720	10	177	\$1,770
	PW - CMS		119	\$0		123	\$0		126	\$0		130	\$0
	PW - BUILDING		160	\$0		164	\$0		168	\$0		180	\$0
	DOT - SIGNAL/STREET LIGHT		83	\$0		86	\$0		88	\$0		91	\$0
	PBCE		149	\$0	20	154	\$3,080	20	159	\$3,180	20	168	\$3,360
	CMO												
	IT												
	Subtotal			\$0			\$7,710			\$6,420			\$6,700
D. Fees, Permits, Other Expenses													
	PW - R&B		145	\$0	5	148	\$740	5	152	\$760	5	157	\$785
	PW - ELECT		149	\$0		154	\$0		159	\$0		168	\$0
	PW - SECI		162	\$0	10	167	\$1,670	10	172	\$1,720	10	177	\$1,770
	PW - CMS		119	\$0		123	\$0		126	\$0		130	\$0
	PW - BUILDING		160	\$0		164	\$0		168	\$0		180	\$0
	DOT - SIGNAL/STREET LIGHT		83	\$0		86	\$0		88	\$0		91	\$0
	PBCE		149	\$0	10	154	\$1,540	10	159	\$1,590	10	168	\$1,680
	CMO												
	IT												
	Subtotal			\$0			\$3,950			\$4,070			\$4,235
II - PLANNING/DESIGN PHASE													
A. Design/Engineering Support Services													
	PW - R&B		145	\$0	100	148	\$14,800	100	152	\$15,200	100	157	\$15,700
	PW - ELECT		149	\$0	200	154	\$30,800	100	159	\$15,900	100	168	\$16,800
	PW - SECI		162	\$0	20	167	\$3,340	20	172	\$3,440	20	177	\$3,540
	PW - CMS		119	\$0	50	123	\$6,150	20	126	\$2,520	20	130	\$2,600
	PW - BUILDING		160	\$0	100	164	\$16,400	20	168	\$3,360	20	180	\$3,600
	DOT - SIGNAL/STREET LIGHT		83	\$0	100	86	\$8,600	50	88	\$4,400	50	91	\$4,550
	PBCE		149	\$0	5	154	\$770	5	159	\$795	5	168	\$840
	CMO												

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ESUHSD Community Wifi
City's Resources Estimate
May 2, 2016

ESUHSD Community Wifi Deployment - Estimated City's Support Cost - Program Level Estimate (+/- 35%)	Resources	Current FY			Overfelt FY16/17			James Lick FY17/18			Yerba Buena FY18/19		
		Hourly			Hourly			Hourly			Hourly		
		Hrs	Rate	Cost	Hrs	Rate	Cost	Hrs	Rate	Cost	Hrs	Rate	Cost
Subtotal	IT			\$0			\$80,860			\$45,615			\$47,630
B. Project Management													
	PW - R&B	145	\$0		300	148	\$44,400	200	152	\$30,400	200	157	\$31,400
	PW - ELECT	149	\$0			154	\$0		159	\$0		168	\$0
	PW - SECI	162	\$0			167	\$0		172	\$0		177	\$0
	PW - CMS	119	\$0			123	\$0		126	\$0		130	\$0
	PW - BUILDING	160	\$0			164	\$0		168	\$0		180	\$0
	DOT - SIGNAL/STREET LIGHT	83	\$0			86	\$0		88	\$0		91	\$0
	PBCE	149	\$0			154	\$0		159	\$0		168	\$0
	CMO												
	IT												
Subtotal				\$0			\$44,400			\$30,400			\$31,400
C. Field Investigation													
	PW - R&B	145	\$0		40	148	\$5,920	40	152	\$6,080	40	157	\$6,280
	PW - ELECT	149	\$0		150	154	\$23,100	150	159	\$23,850	150	168	\$25,200
	PW - SECI	162	\$0		10	167	\$1,670	10	172	\$1,720	10	177	\$1,770
	PW - CMS	119	\$0		20	123	\$2,460	20	126	\$2,520	20	130	\$2,600
	PW - BUILDING	160	\$0		100	164	\$16,400	50	168	\$8,400	50	180	\$9,000
	DOT - SIGNAL/STREET LIGHT	83	\$0		100	86	\$8,600	100	88	\$8,800	100	91	\$9,100
	PBCE	149	\$0			154	\$0		159	\$0		168	\$0
	CMO												
	IT												
Subtotal				\$0			\$58,150			\$51,370			\$53,950
III - INSTALLATION PHASE													
A. Construction Management													
	PW - R&B	145	\$0		50	148	\$7,400	50	152	\$7,600	50	157	\$7,850
	PW - ELECT	149	\$0			154	\$0		159	\$0		168	\$0
	PW - SECI	162	\$0			167	\$0		172	\$0		177	\$0
	PW - CMS	119	\$0		100	123	\$12,300	100	126	\$12,600	100	130	\$13,000
	PW - BUILDING	160	\$0			164	\$0		168	\$0		180	\$0
	DOT - SIGNAL/STREET LIGHT	83	\$0			86	\$0		88	\$0		91	\$0
	PBCE	149	\$0			154	\$0		159	\$0		168	\$0
	CMO												
	IT												
Subtotal				\$0			\$19,700			\$20,200			\$20,850
B. Construction Inspection													
	PW - R&B	145	\$0			148	\$0		152	\$0		157	\$0
	PW - ELECT	149	\$0		50	154	\$7,700	50	159	\$7,950	50	168	\$8,400
	PW - SECI	162	\$0		30	167	\$5,010	30	172	\$5,160	30	177	\$5,310
	PW - CMS	119	\$0		200	123	\$24,600	200	126	\$25,200	200	130	\$26,000
	PW - BUILDING	160	\$0		20	164	\$3,280	20	168	\$3,360	20	180	\$3,600
	DOT - SIGNAL/STREET LIGHT	83	\$0		50	86	\$4,300	50	88	\$4,400	50	91	\$4,550
	PBCE	149	\$0		5	154	\$770	5	159	\$795	5	168	\$840
	CMO												
	IT												
Subtotal				\$0			\$45,660			\$46,865			\$48,700
C. Other construction related services													
	PW - R&B	145	\$0		5	148	\$740	5	152	\$760	5	157	\$785
	PW - ELECT	149	\$0		5	154	\$770	5	159	\$795	5	168	\$840
	PW - SECI	162	\$0		5	167	\$835	5	172	\$860	5	177	\$885
	PW - CMS	119	\$0		10	123	\$1,230	10	126	\$1,260	10	130	\$1,300
	PW - BUILDING	160	\$0		5	164	\$820	5	168	\$840	5	180	\$900
	DOT - SIGNAL/STREET LIGHT	83	\$0		5	86	\$430	5	88	\$440	5	91	\$455

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ESUHSD Community Wifi
City's Resources Estimate
May 2, 2016

ESUHSD Community Wifi Deployment - Estimated City's Support Cost - Program Level Estimate (+/- 35%)	Resources	Current FY			Overfelt FY16/17			James Lick FY17/18			Yerba Buena FY18/19		
		Hourly			Hourly			Hourly			Hourly		
		Hrs	Rate	Cost	Hrs	Rate	Cost	Hrs	Rate	Cost	Hrs	Rate	Cost
	PBCE	149		\$0	154		\$0	159		\$0	168		\$0
	CMO												
	IT												
Subtotal				\$0			\$4,825			\$4,955			\$5,165
IV - CLOSE-OUT PHASE													
	PW - R&B	145	\$0		30	148	\$4,440	30	152	\$4,560	30	157	\$4,710
	PW - ELECT	149	\$0		10	154	\$1,540	10	159	\$1,590	10	168	\$1,680
	PW - SECI	162	\$0		5	167	\$835	5	172	\$860	5	177	\$885
	PW - CMS	119	\$0		20	123	\$2,460	20	126	\$2,520	20	130	\$2,600
	PW - BUILDING	160	\$0		5	164	\$820	5	168	\$840	5	180	\$900
	DOT - SIGNAL/STREET LIGHT	83	\$0		10	86	\$860	10	88	\$880	10	91	\$910
	PBCE	149	\$0		154		\$0	159		\$0	168		\$0
	CMO												
	IT												
Subtotal				\$0			\$10,955			\$11,250			\$11,685
TOTAL PER FY				\$22,065			\$309,731			\$249,507			\$258,450

														TOTAL COST PER GROUP
Public Works - Road and Bridges	PW - R&B	100	145	\$14,500	670	148	\$99,160	520	152	\$79,040	520	157	\$81,640	\$274,340
Public Works - Electrical	PW - ELECT	20	149	\$2,980	455	154	\$70,070	355	159	\$56,445	355	168	\$59,640	\$189,135
Public Works - Structural Engineering and Code Inspection	PW - SECI	5	162	\$810	100	167	\$16,700	100	172	\$17,200	100	177	\$17,700	\$52,410
Public Works - Construction Management and Inspection	PW- CMS	5	119	\$595	407	123	\$50,061	377	126	\$47,502	377	130	\$49,010	\$147,168
Public Works - Building	PW - BUILDING	10	160	\$2,350	260	164	\$42,640	130	168	\$21,840	130	180	\$21,900	\$88,730
Transportation - ITS/Signal/Street Light	DOT - SIGNAL/STREET LIGHT	10	83	\$830	290	86	\$24,940	240	88	\$21,120	240	91	\$21,840	\$68,730
Plan, Building and Code Enforcement	PBCE	0	149	\$0	40	154	\$6,160	40	159	\$6,360	40	168	\$6,720	\$19,240
City Manager Office	CMO													
Information Technology	IT													
	TOTAL PER FY			\$22,065			\$309,731			\$249,507			\$258,450	TOTAL \$839,753

Accuracy for Program Level Estimate is +/- 35%

Total City's Support Cost (excluding CMO and IT) \$546,000 to \$1,134,000

Notes:

1. This program level estimate does not include the City's labor hours to review and issue Planning and Building Permits for work on School's Buildings.
2. The estimate does not include labor hours from the CMO and ITD.

2 Following are revised estimates for City Resources required to implement and support three attendance areas (based on 200-pole installation) as of September 1, 2019:

ESUHSD Community Wifi Deployment - Estimated City's Support Cost - Program Level Estimate (+/- 35%)	Resources	James Lick FY18/19			Overfelt FY19/20			Yerba Buena FY19/20		
		Hrs	Hourly Rate	Cost	Hrs	Hourly Rate	Cost	Hrs	Hourly Rate	Cost
I - PROJECT FEASIBILITY PHASE										
A. Scoping, Scheduling, Funding, and Agreement										
	PW - R&B	38	148	\$5,624	0	0	\$0	0	0	\$0
	PW - ELECT	10	154	\$1,540	50	159	\$7,950	50	159	\$7,950
	PW - SECI	2	167	\$334	0	172	\$0	0	172	\$0
	PW- CMS	2	123	\$246	0	126	\$0	0	126	\$0
	PW - BUILDING	10	164	\$1,640	10	168	\$1,680	10	168	\$1,680
	DOT - SIGNAL/STREET LIGHT	4	86	\$359	5	88	\$440	5	88	\$440
	PBCE		154	\$0	0	159	\$0	0	159	\$0
	CMO									
	IT									
Subtotal		66		\$9,743	65		\$10,070	65		\$10,070
B. Project Development										
	PW - R&B	50	148	\$7,400	0	0	\$0	0	0	\$0
	PW - ELECT	20	154	\$3,080	70	159	\$11,130	70	159	\$11,130
	PW - SECI	3	167	\$501	0	172	\$0	0	172	\$0
	PW- CMS	1	123	\$123	20	126	\$2,520	20	126	\$2,520
	PW - BUILDING	10	164	\$1,640	20	168	\$3,360	20	168	\$3,360
	DOT - SIGNAL/STREET LIGHT	10	86	\$860	10	88	\$880	10	88	\$880
	PBCE		154	\$0		159	\$0		159	\$0
	CMO									
	IT									
Subtotal		94		\$13,604	120		\$17,890	120		\$17,890
C. Environmental Review and Permit										
	PW - R&B	10	148	\$1,480	0	0	\$0	0	0	\$0
	PW - ELECT		154	\$0	10	159	\$1,590	10	159	\$1,590
	PW - SECI	5	167	\$835	0	172	\$0	0	172	\$0
	PW- CMS		123	\$0		126	\$0		126	\$0
	PW - BUILDING		164	\$0		168	\$0		168	\$0
	DOT - SIGNAL/STREET LIGHT		86	\$0		88	\$0		88	\$0
	PBCE	12	154	\$1,848	20	159	\$3,180	20	159	\$3,180
	CMO									
	IT									
Subtotal		27		\$4,163	30		\$4,770	30		\$4,770
D. Fees, Permits, Other Expenses										
	PW - R&B	3	148	\$444	0	0	\$0	0	0	\$0
	PW - ELECT		154	\$0	5	159	\$795	5	159	\$795
	PW - SECI	7	167	\$1,169	0	172	\$0	0	172	\$0
	PW- CMS		123	\$0		126	\$0		126	\$0
	PW - BUILDING		164	\$0		168	\$0		168	\$0
	DOT - SIGNAL/STREET LIGHT		86	\$0		88	\$0		88	\$0
	PBCE	5	154	\$770	10	159	\$1,590	10	159	\$1,590
	CMO									
	IT									
Subtotal		15		\$2,383	15		\$2,385	15		\$2,385
Phi total		202		\$29,893	230		\$35,115	230		\$35,115

ESUHS Community Wifi Deployment - Estimated City's Support Cost - Program Level Estimate (+/- 35%)	Resources	James Lick FY18/19			Overfelt FY19/20			Overfelt FY19/20		
		Hrs	Hourly Rate	Cost	Hrs	Hourly Rate	Cost	Hrs	Hourly Rate	Cost
II - PLANNING/DESIGN PHASE										
A. Design/Engineering Support Services										
	PW - R&B	100	148	\$14,800	0	0	\$0	0	0	\$0
	PW - ELECT	200	154	\$30,800	200	159	\$31,800	200	159	\$31,800
	PW - SECI	20	167	\$3,340	0	172	\$0	0	172	\$0
	PW- CMS	20	123	\$2,460	20	126	\$2,520	20	126	\$2,520
	PW - BUILDING	20	164	\$3,280	20	168	\$3,360	20	168	\$3,360
	DOT - SIGNAL/STREET LIGHT	50	86	\$4,300	20	88	\$1,760	20	88	\$1,760
	PBCE	5	154	\$770	5	159	\$795	5	159	\$795
	CMO									
	IT									
Subtotal		415		\$59,750	265		\$40,235	265		\$40,235
B. Project Management										
	PW - R&B	200	148	\$29,600	0	0	\$0	0	0	\$0
	PW - ELECT		154	\$0	200	159	\$31,800	200	159	\$31,800
	PW - SECI		167	\$0		172	\$0		172	\$0
	PW- CMS		123	\$0		126	\$0		126	\$0
	PW - BUILDING		164	\$0		168	\$0		168	\$0
	DOT - SIGNAL/STREET LIGHT		86	\$0		88	\$0		88	\$0
	PBCE		154	\$0		159	\$0		159	\$0
	CMO									
	IT									
Subtotal		200		\$29,600	200		\$31,800	200		\$31,800
C. Field Investigation										
	PW - R&B	40	148	\$5,920	0	0	\$0	0	0	\$0
	PW - ELECT	150	154	\$23,100	190	159	\$30,210	190	159	\$30,210
	PW - SECI	10	167	\$1,670	0	172	\$0	0	172	\$0
	PW- CMS	20	123	\$2,460	0	126	\$0	0	126	\$0
	PW - BUILDING	50	164	\$8,200	20	168	\$3,360	20	168	\$3,360
	DOT - SIGNAL/STREET LIGHT	100	86	\$8,600	20	88	\$1,760	20	88	\$1,760
	PBCE		154	\$0		159	\$0		159	\$0
	CMO									
	IT									
Subtotal		370		\$49,950	230		\$35,330	230		\$35,330
PhII total		985		\$139,300	695		\$107,365	695		\$107,365
III - INSTALLATION PHASE										
A. Construction Management										
	PW - R&B	25	148	\$3,700	0	0	\$0	0	0	\$0
	PW - ELECT		154	\$0	80	159	\$12,720	80	159	\$12,720
	PW - SECI		167	\$0	0	172	\$0	0	172	\$0
	PW- CMS	75	123	\$9,225	0	126	\$0	0	126	\$0
	PW - BUILDING		164	\$0		168	\$0		168	\$0
	DOT - SIGNAL/STREET LIGHT		86	\$0		88	\$0		88	\$0
	PBCE		154	\$0		159	\$0		159	\$0
	CMO									
	IT									
Subtotal		100		\$12,925	80		\$12,720	80		\$12,720
B. Construction Inspection										
	PW - R&B		148	\$0	0	0	\$0	0	0	\$0
	PW - ELECT	50	154	\$7,700	80	159	\$12,720	80	159	\$12,720
	PW - SECI	30	167	\$5,010	260	172	\$44,720	260	172	\$44,720
	PW- CMS	200	123	\$24,600	160	126	\$20,160	160	126	\$20,160
	PW - BUILDING	20	164	\$3,280	20	168	\$3,360	20	168	\$3,360
	DOT - SIGNAL/STREET LIGHT	50	86	\$4,300	20	88	\$1,760	20	88	\$1,760
	PBCE	5	154	\$770	5	159	\$795	5	159	\$795
	CMO									
	IT									
Subtotal		355		\$45,660	545		\$83,515	545		\$83,515
PhIII total		455		\$58,585	625		\$96,235	625		\$96,235

ESUHS Community Wifi Deployment - Estimated City's Support Cost - Program Level Estimate (+/- 35%)	Resources	James Lick FY18/19			Overfelt FY19/20			Overfelt FY19/20		
		Hrs	Hourly Rate	Cost	Hrs	Hourly Rate	Cost	Hrs	Hourly Rate	Cost
IV - CLOSE-OUT PHASE										
	PW - R&B	16	148	\$2,368	0	0	\$0	0	0	\$0
	PW - ELECT	6	154	\$924	40	159	\$6,360	40	159	\$6,360
	PW - SECI	3	167	\$501	0	172	\$0	0	172	\$0
	PW- CMS	11	123	\$1,353	0	126	\$0	0	126	\$0
	PW - BUILDING	3	164	\$492	0	168	\$0	0	168	\$0
	DOT - SIGNAL/STREET LIGHT	4.5	87	\$391	0	88	\$0	0	88	\$0
	PBCE		154	\$0		159	\$0		159	\$0
	CMO									
	IT									
Subtotal		44		\$6,029	40		\$6,360	40		\$6,360
PhIV total		43.5		\$6,029	40		\$6,360	40		\$6,360
	TOTAL PER FY	1,686		\$233,806	1,590		\$245,075	1,590		\$245,075

											TOTAL COST PER GROUP
Public Works - Road and Bridges	PW - R&B	482	152	\$71,336	0	148	\$0	0	148	\$0	\$71,336
Public Works - Electrical	PW - ELECT	436	159	\$67,144	925	154	\$147,075	925	154	\$147,075	\$361,294
Public Works - Structural Engineering and Code Inspection	PW - SECI	80	172	\$13,360	260	167	\$44,720	260	167	\$44,720	\$102,800
Public Works - Construction Management and Inspection	PW- CMS	329	126	\$40,467	200	123	\$25,200	200	123	\$25,200	\$90,867
Public Works - Building	PW - BUILDING	113	168	\$18,532	90	164	\$15,120	90	164	\$15,120	\$49,522
Transportation - ITS/Signal/Street Light	DOT - SIGNAL/STREET LIGHT	219	88	\$18,809	75	86	\$6,600	75	86	\$6,600	\$32,009
Plan, Building and Code Enforcement	PBCE	27	159	\$4,158	40	154	\$6,360	40	154	\$6,360	\$16,878
City Manager Office	CMO			\$0			\$0			\$0	\$0
Information Technology	IT			\$0			\$0			\$0	\$0
	TOTAL PER FY	1,686		\$233,806	1,590		\$245,075	1,590		\$245,075	TOTAL \$723,956

REVISED EXHIBIT C PROJECT COSTS AND ALLOCATIONS

The following reflects actual final project costs for the James Lick Attendance Area and revised estimates for the William C. Overfelt (Overfelt) and Yerba Buena Attendance Areas:

James Lick High School	Original Estimate (based on 300 Poles)	Final Actual Costs (based on 199 Poles)	
		District Funded	City Funded
SmartWAVE Installation (including Supplemental Services and Year 1 Maintenance & Support)	\$952,332	\$1,072,756	\$0
City Staff Project Delivery	249,507	233,806	0
Maintenance & Support	150,000	0	193,428*
TOTAL JAMES LICK	\$1,351,839	\$1,306,562	\$193,428
GRAND TOTAL JAMES LICK		\$1,499,990	

*For Years 2 - 5.

Overfelt High School	Original Estimate (based on 300 Poles)	Revised Estimate (based on 200 Poles)	
		District Funded	Currently Unfunded
SmartWAVE Installation:			
-Pre-Project Design and Planning Services	\$0	\$80,910	\$0
-Materials and Equipment	\$496,631	378,575	0
-Licenses & Year 1 Support & Maintenance	96,900	64,600	0
-Professional Services	230,345	341,906	0
-Sales Tax	43,456	35,018	0
-Ongoing Maintenance & Support**	75,000	99,200	99,200
-As-Required In-Scope Supplemental Services	95,000	41,755	0
Subtotal SmartWAVE	\$1,037,332	\$1,041,964	\$99,200
City Staff Project Delivery	309,731	245,075	0
Contingency***	0	106,399	0
TOTAL OVERFELT	\$1,347,063	\$1,393,438	\$99,200
GRAND TOTAL OVERFELT		\$1,492,638	

**Year 1 Maintenance & Support included with Installation. District funding to cover Years 2 and 3. Years 4 and 5 remain unfunded.

***For unanticipated products and services required to complete the project.

Yerba Buena High School	Original Estimate (based on 300 Poles)	Revised Estimate (based on 200 Poles)***	
		District Funded	Currently Unfunded
SmartWAVE Installation:			
-Materials and Equipment	\$496,631	\$0	\$378,575
-Licenses & Year 1 Support & Maintenance	96,900	0	64,600
-Professional Services	230,345	0	422,816
-Sales Tax	43,456	0	35,018
-Ongoing Maintenance & Support	450,000	0	198,400
-As-Required Supplemental Services	120,000	0	41,755
Subtotal SmartWAVE	\$1,437,332	\$0	\$1,141,164
City Staff Project Delivery	258,450	0	245,075
Contingency	0	0	106,399
TOTAL OVERFELT	\$1,695,782	\$0	1,492,638
GRAND TOTAL YERBA BUENA		\$1,492,638	

***Based on Overfelt estimate.

Funding and Funding Gap	Original Estimate	Revised Estimate
Estimated Costs – Three Attendance Areas	\$4,394,684	\$4,485,266
District Funding	-2,700,000	-2,700,000
City Funding (Years 2-5 Maintenance and Support for James Lick)	0	-193,428
ESTIMATED FUNDING GAP	\$1,694,684	\$1,591,838

REVISED EXHIBIT D

**FIRST AMENDMENT TO AND THE AGREEMENT FOR EAST SIDE
UNION HIGH SCHOOL DISTRICT COMMUNITY WI-FI DEPLOYMENT
BETWEEN THE CITY OF SAN JOSE AND SMARTWAVE
TECHNOLOGIES, LLC**