

☐ First

Amendment to Master City of San José Consultant Agreement

(Capital Projects)

☒ Second

☐ Third

Consultants Name: Ten Over Studios, Inc.

(CPMS Contract No. 9030-B)
(Master Agreement AC No. 30406)

This Amendment to the Master Agreement is made and entered into this _____ day of _____, 2021. 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 December 31, 2024 to December 31, 2025.
5. ☒ **Maximum Total Compensation:** Subsection 10.1 is amended to ☒ Increase ☐ Decrease the Maximum Total Compensation from \$4,000,000 to \$5,900,000 for the sole purpose of allowing Consultant to perform services on the Fire Training Center and Emergency Operations Center Relocation project, and the design of the Police Department-Air Support Unit Hangar Project..
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

By _____

Name: Tony J. Taber, CMC
Title: City Clerk

Date

Consultant

By _____ 9/21/21

Name: Jim Duffy
Title: Owner, Ten Over Studios, Inc.

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:

[Sr.] Deputy City Attorney

Date