

**SECOND AMENDMENT TO AGREEMENT BETWEEN THE CITY OF
CUPERTINO AND 4LEAF, INC FOR APPLE CAMPUS 2 PHASE 2 BUILDING
INSPECTION SERVICES**

This Second Amendment to the Agreement between the City of Cupertino and 4Leaf, Inc, for reference dated August 23, 2017, is by and between the CITY OF CUPERTINO, a municipal corporation (hereinafter "City") and 4Leaf, Inc a California Corporation ("Consultant") whose address is 2110 Rheem Drive, Suite A, Pleasanton, CA 94588, and is made with reference to the following:

RECITALS:

- A. On August 5, 2015, an agreement was entered into by and between City and Consultant (hereinafter "Agreement") for Apple Campus 2 Phase 2 building inspection services.
- B. On October 20, 2016, City and Consultant agreed to the First Amendment for Apple Campus 2 Phase 2 building inspection services.
- C. The Agreement and the First Amendment are collectively referred to as the "Agreement" unless otherwise indicated.
- D. City and Consultant desire to modify the Agreement on the terms and conditions set forth herein.

NOW, THEREFORE, it is mutually agreed by and between and undersigned parties as follows:

1. SERVICES TO BE PERFORMED

Paragraph 2 of the Agreement is modified to read as follows:

Consultant shall perform building inspection services, set forth in Exhibit A, which is attached hereto and incorporated herein by this reference.

2. COMPENSATION TO CONSULTANT

Paragraph 3 of the Agreement is modified to read as follows:

Compensation shall be increased by this amendment in the amount not to exceed \$524,068 for Phase 2 Building Inspection for a total contract amount not to exceed \$1,438,855.

- 3. The following Exhibits to the Agreement, are amended and replaced to read as shown in the attachments to this Amendment:
 - a. Exhibit "A,"- Scope of Services: Apple Campus 2 Phase 2 Building Inspection Service Estimates July 1, 2017 – June 30, 2018
- 4. Except as expressly modified herein, all other terms and covenants set forth in the Agreement shall remain the same and shall be in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this modification of Agreement to be executed.

CONSULTANT

By _____

Title _____

CITY OF CUPERTINO

By _____

Title _____

Date _____

RECOMMENDED FOR APPROVAL:

By _____

Title _____

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

EXPENDITURE DISTRIBUTION

PO #2016- 171	Account: 100-73-715 900-923
Original Contract:	\$347,256.00
Amendment #1:	\$567,531.00
Amendment #2:	\$524,068.00
Total:	\$1,438,855.00