



PUBLIC WORKS DEPARTMENT

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3354 • FAX: (408) 777-3333
CUPERTINO.ORG

CITY COUNCIL STAFF REPORT

Meeting: May 6, 2025

Subject

Approve a Fourth Amendment to the Tanko Lighting Master Agreement for the Light Emitting Diode (LED) Streetlight Transition Project correcting the maximum compensation amount to \$336,172.

Recommended Action

Authorize the City Manager to execute a Fourth Amendment to the master agreement (#653) with Tanko Lighting for Design Professional Services on the Light Emitting Diode (LED) Streetlight Transition Project (420-99-258) correcting the maximum compensation amount to \$336,172.

Background

A master agreement was awarded to Tanko Lighting for design professional services on the LED Streetlight Transition Project in January 2023. The master agreement with Tanko Lighting was approved for amendment by City Council in December 2024 to increase the maximum compensation amount, but there was a mathematical error, and this Fourth Amendment corrects that error.

The December 3, 2024 staff report and exhibit C-2, attached to the Third Amendment, indicates an addition of \$156,914 to the contract, however the Maximum Compensation Amount was incorrect. The amount stated in the Staff Report was \$306,914 but should have been \$336,172. Amendment #4 corrects the mathematical error and revises the maximum compensation amount to \$336,172. ($\$179,258 + \$156,914 = \$336,172$)

To date, there have been three amendments to the Tanko Lighting Master Agreement:

Item	Execution Date	Amount Added	Maximum Compensation Amount
Original Not-to-Exceed Contract amount (<i>audit existing conditions, develop project scope and specifications</i>)	January 10, 2023	- -	\$175,000
Amendment #1 (<i>extending time</i>)	April 22, 2024	\$0	\$175,000

Amendment #2 (<i>additional services for bid review process</i>)	September 6, 2024	\$4,258	\$179,258
Amendment #3 (<i>construction administration</i>)	February 12, 2025	\$156,914	\$306,914*
Amendment #4 (<i>correcting error</i>)	TBD	\$0	\$336,172**

**Maximum Compensation amount should have been \$336,172.*

***Revised Maximum Compensation Amount to address the previous error.*

Reasons for Recommendation and Available Options

In the December 3, 2024 staff report, the following text was supplied to substantiate the need for the additional services from Tanko Lighting:

To ensure that construction work is completed in an orderly manner and in compliance with the project specifications, staff also recommends increasing Tanko Lighting's contract by \$156,914, for a total contract amount not to exceed \$306,914, so that Tanko Lighting can perform construction management services for the City on this project. Scope of Services include community outreach, developing an installation schedule, use of a consultant's computerized mapping system to track installation progress in real time to verify contractor's data entry is accurate and complete, post construction asset inventory update, and to coordinate utility billing updates upon project completion.

If this item is not approved, the City will not be able to contract out Construction Management services and will lose the opportunity to utilize the Consultant's GIS software to manage and track installation. Due to limited staff resources, this will prohibit or delay project completion.

The maximum compensation indicated in the staff report was incorrect. The correct amount is \$336,172. This amendment corrects the error to reflect the correct maximum compensation amount.

Sustainability Impact

No sustainability impact.

Fiscal Impact

No fiscal impact. This contract amendment falls within the project's current budget appropriation.

City Work Program (CWP) Item/Description

None

California Environmental Quality Act

No California Environmental Quality Act impact

Prepared by: Susan Michael, CIP Manager

Reviewed by: Chad Mosley, Director of Public Works

Tina Kapoor, Deputy City Manager

Approved for Submission by: Pamela Wu, City Manager

Attachments:

A – Draft Fourth Amendment to Tanko Lighting Master Agreement

B – Third Amendment to Tanko Lighting Master Agreement