

FIRST AMENDMENT TO AGREEMENT 2018-006
BETWEEN THE CITY OF CUPERTINO AND CSG
CONSULTANTS, INC. FOR CONSULTANT
CONSTRUCTION MANAGEMENT SERVICES ON
VARIOUS CAPITAL IMPROVEMENT PROJECTS

This First Amendment to Agreement 2018-006 between the City of Cupertino and CSG Consultants, Inc. for reference dated April 17, 2018 is by and between the CITY OF CUPERTINO, a municipal corporation (hereinafter "City") and CSG Consultants, Inc., a California corporation ("Consultant") whose address is 550 Pilgrim Drive, Foster City, CA 94404, and is made with reference to the following:

RECITALS:

- A. On 4/17/2018, an agreement was entered into by and between City and Consultant (hereinafter "Agreement") for Construction Management Services. The agreement will expire on 6/30/2020.
- B. The Agreement and the First Amendments are collectively referred to as the "Agreement" unless otherwise indicated.
- C. 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. **TERM**

Paragraph 3.1 of the Agreement is modified to read as follows: This Agreement begins on the Effective Date and ends on **June 30, 2021** ("Contract Time"), unless terminated earlier as provided herein.

2. **COMPENSATION**

Paragraph 4.1 of the Agreement is modified to read as follows:

Maximum Compensation. City will pay Consultant for satisfactory performance of the Services a total amount that will be based upon actual costs but that will be capped so as not to exceed **\$800,000** ("Contract Price"), based on the budget and rates set forth in Exhibit C, Compensation, attached and incorporated here. The Contract Price includes all expenses and reimbursements and will remain in place even if Consultant's actual costs exceed the capped amount. No extra work or payment is permitted in excess of the Contract Price.

- 3. 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.

CSG CONSULTANTS, INC.

By _____

Title _____

CITY OF CUPERTINO

By _____

City Manager

RECOMMENDED FOR APPROVAL

By _____

Title _____

APPROVED AS TO FORM

City Attorney

ATTEST:

City Clerk

EXPENDITURE DISTRIBUTION

PO #2018-006	Encumbered by Service Order
Original Amount	\$500,000
Amendment #1:	\$300,000
Total:	\$800,000