

**AMENDMENT NO. 1
TO THE AGREEMENT FOR SERVICES
BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
HULBERG AND ASSOCIATES, INC. DBA VALBRIDGE PROPERTY ADVISORS**

PREAMBLE

This agreement ("Amendment No. 1") is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and Hulberg and Associates, Inc. dba Valbridge Property Advisors, a California corporation, (Contractor). City and Contractor may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

- A. The Parties previously entered into an agreement entitled "Agreement for Services Between the City of Santa Clara, California, and Hulberg and Associates, Inc. dba Valbridge Property Advisors", dated October 5, 2018 (the "Original Agreement"); and
- B. The Parties entered into the Original Agreement for the purpose of having Contractor provide easement and parcel assessment services for City and non-City property within and outside the City limits on an as-needed basis, and the Parties now wish to amend the Original Agreement to increase the maximum compensation by \$200,000.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. COMPENSATION AND PAYMENT

Paragraph 6 of the Original Agreement, entitled "Compensation and Payment" is hereby amended by deleting the existing paragraph 6 in its entirety and replacing it with the following:

In consideration for Contractor's complete performance of Services, City shall pay Contractor for all materials provided and Services rendered by Contractor in accordance with Exhibit B, entitled "SCHEDULE OF FEES." The maximum compensation of this Agreement is three hundred thousand dollars (\$300,000.00), subject to budget appropriations, which includes all payments that may be authorized for Services and for expenses, supplies, materials and equipment required to perform the Services. All work performed or materials provided in excess of the maximum compensation shall be at Contractor's expense. Contractor shall

not be entitled to any payment above the maximum compensation under any circumstances.

2. TERMS

All other terms of the Original Agreement which are not in conflict with the provisions of this Amendment No. 1 shall remain unchanged in full force and effect. In case of a conflict in the terms of the Original Agreement and this Amendment No. 1, the provisions of this Amendment No. 1 shall control.

The Parties acknowledge and accept the terms and conditions of this Amendment No. 1 as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

Approved as to Form:

Dated: _____

BRIAN DOYLE
City Attorney

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

“CITY”

HULBERG AND ASSOCIATES, INC. DBA VALBRIDGE PROPERTY ADVISORS
a California corporation

Dated: _____

By (Signature): _____

Name: Norman C. Hulberg

Title: Senior Managing Director

Principal Place of Business Address: 55 South Market Street, Suite 1210
San Jose, CA 95113

Email Address: nhulberg@valbridge.com

Telephone: (408) 279-1520 ext. 7142

Fax: (408) 279-3428

“CONTRACTOR”