

**AMENDMENT NO. 1
TO THE DEPOSIT AGREEMENT
BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
WEST VALLEY – MISSION COMMUNITY COLLEGE DISTRICT**

PREAMBLE

This agreement ("Amendment No. 1") is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and West Valley - Mission Community College District, a California Public Community College, (Customer). City and Customer 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 "Deposit Agreement Between the City of Santa Clara, California and West Valley – Mission Community College District", dated March 28, 2022 (Agreement);
- B. The Parties entered into the Agreement for the purpose of having Customer pay a deposit related to the Services (as defined in the Agreement) for the project described in Exhibit A of the Agreement, as amended herein; and
- C. The Parties now wish to amend the Agreement to update the costs due to increase in costs of equipment provided by manufacturer.

NOW, THEREFORE, the Parties agree as follows:

AMENDMENT TERMS AND CONDITIONS

- 1. The first sentence of Section II of the Agreement is amended to read as follows:
"Customer agrees to deposit \$504,000 (Deposit) with the City."
- 2. Exhibit A of the Agreement, entitled "Scope of Work and Cost Estimate" is amended and replaced with Exhibit A – Scope of Work and Cost Estimate – Amended December 1, 2022:
- 3. Except as set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect. In case of a conflict in the terms of the 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: _____

Office of the City Attorney
City of Santa Clara

Office of the City Manager
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

“CITY”

WEST VALLEY – MISSION COMMUNITY COLLEGE DISTRICT
a California Public Community College

Dated: 2/7/2023

By (Signature):

DocuSigned by:

Bradley Davis

Name:

Brad Davis

Title:

Chancellor

Principal Place of

1400 Fruitvale Ave.

Business Address:

Saratoga, CA 95070

Telephone:

(408) 741-2421

“CUSTOMER”

**DEPOSIT AGREEMENT BETWEEN
THE CITY OF SANTA CLARA, CALIFORNIA AND
WEST VALLEY - MISSION COMMUNITY COLLEGE DISTRICT
EXHIBIT A - SCOPE OF WORK AND COST ESTIMATE –**

AMENDED DECEMBER 1, 2022

Project Description

SVP must complete system upgrades in order to accommodate Customer's Distributed Energy Resource (DER) system. Mission College has an existing 1.12 MW Photovoltaic (PV) capacity. In addition to the existing PV Capacity, Customer will interconnect and operate a new 2.5 MW PV with 2MW/4MWH battery energy storage in parallel operation with SVP's distribution system.

Scope

The scope of work to be performed by SVP includes the purchase and installation by SVP personnel of equipment identified as system upgrades necessary to interconnect the Customer's system to Silicon Valley Power's distribution system. This scope does not require SVP to acquire any easements or permits on the behalf of the customer.

Cost Estimate

The Preliminary estimation of costs below includes interconnection and/or system upgrades required to interconnect the Customer's system to Silicon Valley Power's distribution system, but does not include any generation facilities constructed, owned and operated by the Customer. The below costs are estimates using average cost without actual field verification.

Interconnection Requirements	Customer Cost	Notes
Fiber Installation	\$29,000	Includes staff labor. Engineering by Fiber group, construction by SVP Fiber Group
T&D Installation	\$8,000	Includes staff labor. Engineering by SVP, SVP system support, SVP Transmission and Distribution crew to construct
Vacuum Disconnect Switch	\$270,000	Equipment procurement from Innovative Switchgear
Programming	\$37,000	Performed by Eaton/innovative Switchgear
Acceptance Testing and Commissioning	\$17,000	Acceptance and commissioning cost performed by Eaton/Innovative Switchgear
Metering Upgrades	\$3,000	Cost of new metering
Testing and Commissioning	\$20,000	SVP Engineering

Interconnection Requirements	Customer Cost	Notes
Sub total	\$384,000	
25% Contingency	\$96,000	
5% Contribution in lieu	\$24,000	
Total Cost	\$504,000	