

**AMENDMENT NO. 1
TO THE CALL AGREEMENT BY AND BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
ELB US, INC.**

for Enterprise Audio/Visual Services

PREAMBLE

This agreement (“Amendment No. 1”) is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and ELB US, Inc., a Delaware corporation, with its principal place of business located at 415 Boulder Court, Suite 500, Pleasanton, California 94566, (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 “Call Agreement by and between the City of Santa Clara, California and ELB US, INC., dated June 13, 2017 (Agreement); and
- B. The Parties entered into the Agreement for the purpose of having Contractor provide Enterprise Audio/Visual Services, and the Parties now wish to amend the Agreement to extend the contract end date.

NOW, THEREFORE, the Parties agree as follows:

AMENDMENT TERMS AND CONDITIONS

1. Section 12 of the Agreement, entitled “TERM OF AGREEMENT” is amended to read as follows:

“Unless otherwise set forth in this Agreement or unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of this Agreement shall be six (6) years, beginning on the Effective Date and terminating six years later. However, this Agreement shall be deemed extended for such time as is necessary for Contractor to complete work on any Call which is issued prior to the termination date of this Agreement, but is still in progress on the termination date of this Agreement. Any incomplete Call(s) which have been issued pursuant to the terms of a previous agreement between the Parties is/are hereby reaffirmed and each such Call shall remain in full force and effect under this Agreement, subject to the terms of such Call.”

2. 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: _____

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”

ELB US INC.
a Delaware corporation

Dated: 05/22/2020
By (Signature): 
Name: Damian Bolton
Title: President
Principal Place of Business Address: 415 Boulder Court, Suite 500
Pleasanton, California 94566
Email Address: sales@elbglobal.com
Telephone: (925) 400-6175
Fax: (925) 475-5096
“CONTRACTOR”