

**AMENDMENT NO. 2
TO THE AGREEMENT FOR SERVICES
BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
GEI CONSULTANTS, INC.**

PREAMBLE

This agreement ("Amendment No. 1") is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and GEI Consultants, Inc. a Massachusetts 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 Professional Services" dated August 26, 2014 (the "Original Agreement");
- B. The Original Agreement was previously amended by Amendment No. 1, dated May 11, 2017. The Original Agreement and all previous amendments are collectively referred to herein as the "Original Agreement as Amended"; and
- C. The Parties entered into the Original Agreement for the purpose of having Contractor provide project management support for the Bucks creek Project Relicensing, and the Parties now wish to amend the Original Agreement to increase the fee schedule and extend the term of the agreement for one additional year until April 30, 2021.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. AMENDMENT TERMS AND CONDITIONS

That Exhibit B of the Original Agreement, entitled "Fee Schedule" is hereby amended to include the attached fee schedule entitled ("Bucks Creek Hydro Relicensing – GEI/TRC Projected Budget through 4/2020, attached hereto and incorporated by this reference, and to read as follows:

In no event shall the amount billed to City by Contractor for services under this Agreement exceed one million twenty eight thousand eight hundred forty one dollars (\$1,028,841.00), subject to budget appropriations.

2. AMENDMENT TERMS AND CONDITIONS

That Paragraph 2 of the Original Agreement, entitled "Term of Agreement" is hereby amended by deleting the existing Paragraph 2 in its entirety and replacing it with the following:

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 begin on the Effective Date of this Agreement and terminate at the end of the day April 30, 2021.

3. TERMS

All other terms of the Original Agreement which are not in conflict with the provisions of this Amendment No. 2 shall remain unchanged in full force and effect. In case of a conflict in the terms of the Original Agreement and this Amendment No. 2, the provisions of this Amendment No. 2 shall control.

4. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but both of which shall constitute one and the same instrument.

The Parties acknowledge and accept the terms and conditions of this Amendment No. 2 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:

Approved as to Form:

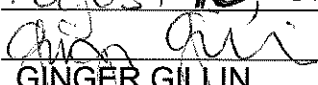
Dated: _____

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"

GEI CONSULTANTS, INC.
a Massachusetts corporation

Dated: August 10, 2018
By (Signature): 
Name: GINGER GILLIN
Title: Vice President
Principal Place of Business Address: 2868 Prospect Park Drive , Suite 400
Rancho Cordova, CA 95670
Email Address: _____
Telephone: (916) 631-4500
Fax: (916) 634-4501
"CONTRACTOR"

Bucks Creek Hydro Relicensing - GEI/TRC Projected Budget Through 4/2020

Prepared by: Jeff Deason/Ginger Gillin

Actual

Projected*

2018													
	January	February*	March*	April*	May*	June*	July*	August*	September*	October*	November*	December*	TOTAL 2018
Anticipated activities	Agency negotiation		Filing of license supplement	Review REA and Reply Comments			FERC EA Preparation, Agency Negotiation				Comment on FERC EIS, prepare NOP and CEQA Supplement		
ILP Management (Tasks A, B, C, D, F)	\$ 8,869	\$ 14,000	\$ 6,000	\$ 6,000	\$ 12,000	\$ 12,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 12,000	\$ 12,000	\$ 105,869
CEQA		\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 5,000	\$ 13,000	\$ 13,000	\$ 40,600
Budgeted	\$ 8,869	\$ 15,200	\$ 7,200	\$ 7,200	\$ 13,200	\$ 13,200	\$ 7,200	\$ 7,200	\$ 7,200	\$ 11,000	\$ 25,000	\$ 25,000	\$ 147,469

2019													
	January*	February*	March*	April*	May*	June*	July*	August*	September*	October*	November*	December*	TOTAL 2019
Anticipated activities	Review of T&C, finalize draft CEQA supplement			Comment period, public meetings CEQA, review of FERC Final EIS		Final CEQA Supplement, Final EIS		Public Hearing, CSC Decision	Review of Draft 401 Cert, SWB negotiations				
ILP Management (Tasks A, B, C, D, F)	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 10,000	\$ 6,000	\$ 6,000					\$ 52,000
CEQA/401 CERT	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 128,000
Budgeted	\$ 13,000	\$ 19,000	\$ 19,000	\$ 19,000	\$ 19,000	\$ 23,000	\$ 19,000	\$ 19,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 180,000

2020													
	January*	February*	March*	April*	May*	June*	July*	August*	September*	October*	November*	December*	TOTAL 2020
Anticipated activities	Comment on Final 401 Cert, SWB Negotiations												
ILP Management (Tasks A, B, C, D, F)													\$ -
CEQA/401 CERT	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000									\$ 24,000
Budgeted	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000									\$ 24,000

Note: Budget is estimated based on Bucks Relicensing/CEQA Schedule v.11
Numbers may change depending on City decisions through the budget amendment process.

Budget allocation depends on schedule, which grows uncertain for ILP in 2018, particularly the issuance of the Draft EIS.
\$24,000 added to the 2019 projection (Sept., Oct., Nov., Dec.) to review the DRAFT 401 Certification from the State Water Resources Board.
\$24,000 added for the first four months of 2020

TOTAL	
ILP Projections	\$ 158,900
CEQA/ 401 CERT Projections	\$ 192,600
Total Projected Budget 1/2018 to 4/2020	\$ 351,500
Budget Remaining as of 2/9/2018	\$ 213,512
Budget Request 2018- 2020	\$ 138,000