

**AMENDMENT NO. 1 TO CONSULTING SERVICES AGREEMENT BETWEEN  
THE CITY OF SAN LEANDRO AND  
THE EXPLORATORIUM  
FOR  
FABRICATION AND INSTALLATION OF AN INTERACTIVE ART EXHIBIT IN JOAQUIN PLAZA**

This **Amendment No. 1** ("Amendment") is made by and between the City of San Leandro ("City") and The Exploratorium ("Consultant") (together sometimes referred to as the "Parties") as of June 6, 2016, and amends that certain Consulting Services Agreement ("Agreement") dated October 1, 2015, between the Parties.

**WHEREAS**, City and Consultant have executed the Agreement, pursuant to which Consultant has provided certain consulting services to City with regard to the design, fabrication, and installation of an interactive art exhibit in Joaquin Plaza; and

**WHEREAS**, the Parties desire to amend the Agreement to increase the budget.

**NOW THEREFORE**, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Agreement as follows:

1. Section 2 of the Agreement entitled "Compensation" is hereby amended to pay Consultant a sum not to exceed \$250,000; and
2. Exhibit A of the Agreement entitled "Scope of Services" is hereby amended to read: "Total fees for this scope of work are \$250,000."
3. Exhibit B of the Agreement entitled "Compensation Schedule & Reimbursable Expenses" is hereby amended to read: "An amount of One Hundred and Seventeen Thousand Five Hundred US dollars (\$117,500), within (30) days of execution of this Agreement.

An amount of One Hundred and Seventeen Thousand Five Hundred US dollars (\$117,500), at least one (1) week prior to shipment of the Installation to the City's specified address upon notification by Consultant that the Installation is ready to ship.

An amount of Fifteen Thousand US dollars (\$15,000), no later than thirty days after installation of Installation."

4. All other terms shall remain in full force and effect.

This Amendment may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

**SIGNATURES ON FOLLOWING PAGE**

The Parties have executed this Amendment as of the date first written above. The persons whose signatures appear below certify that they are authorized to sign on behalf of the respective Party.

CITY OF SAN LEANDRO

THE EXPLORATORIUM

\_\_\_\_\_  
Chris Zapata, City Manager

\_\_\_\_\_  
Laura R. Zander, COO

Attest:

\_\_\_\_\_  
Tamika Greenwood, City Clerk

Approved as to Fiscal Authority:

\_\_\_\_\_  
David Baum, Finance Director

122-38-362-5120 \$235,000  
Account Number

210-62-116 \$15,000  
Account Number

Approved as to Form:

\_\_\_\_\_  
Richard D. Pio Roda, City Attorney

(2015)