

**AMENDMENT NO. 3 TO CONSULTING SERVICES AGREEMENT BETWEEN
THE CITY OF SAN LEANDRO AND
NICHOLS CONSULTING ENGINEERS
FOR
ANNUAL STREET OVERLAY/REHABILITATION 2019-21 PROJECT**

This **Amendment No. 3** (“Amendment”) is made by and between the City of San Leandro (“City”) and Nichols Consulting Engineers (“Consultant”) (together sometimes referred to as the “Parties”) as of _____, 2021, and amends that certain Consulting Services Agreement (“Agreement”) dated June 17, 2020, 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 Annual Street Overlay/Rehabilitation 2019-21 Project, Project No. 2020.0050; and

WHEREAS, the Parties desire to amend the Agreement to include additional design consulting services.

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 1.1 of the Agreement entitled, “Terms of Services” is hereby amended to extend the term from December 31, 2021, to December 31, 2022; and
2. Section 2 of the Agreement entitled “Compensation” is hereby amended to pay Consultant a sum not to exceed One Million, Twelve Thousand, Five Hundred and Twenty Five dollars (\$1,012,525); and
3. Exhibit A of the Agreement entitled “Scope of Services” is hereby amended as follows::

Add the following task

Task 1B – Utility Coordination:

Additional effort for Aurora Drive pavement design from Williams Street to Marina Blvd.

Task 1C– Caltrans, BART and Railroad Permitting:

Additional permitting effort for improvements at the UPRR crossing north of Olive Court on Hesperian Boulevard due to extension of complete streets work on Hesperian Boulevard from Thornally Drive to Fairmount Drive.

Task 2A – Pavement and C&G Condition Survey

Additional effort for Aurora Drive pavement design from Williams Street to Marina Blvd.

Task 2C Pavement Coring

Additional effort for Aurora Drive pavement design from Williams Street to Marina Blvd.

Task 2D Pavement Design Recommendations

Additional effort for Aurora Drive pavement design from Williams Street to Marina Blvd.

Task 3A, 3B, and 3C Design Data Gathering, Top Survey and Prelim Design, and Utility

Coordination

Additional effort for Aurora Drive pavement design from Williams Street to Marina Blvd.

Task 3D, 3E and 3F 70%, 100% and Final (100%) Plans, Specs and Estimate

Additional effort for Aurora Drive pavement design from Williams Street to Marina Blvd.

Task 3G – Complete Street Elements:

Additional effort to conduct the complete streets traffic analysis and incorporate the complete streets improvements into the drawing set.
Additional effort to extend the complete street improvements on Hesperian Boulevard from Thornally Drive to Fairmount Drive.

4. Exhibit B of the Agreement entitled “Compensation Schedule & Reimbursable Expenses” is hereby amended to include:

Task 1 – Project Management & Meetings

Amendment No. 3 \$110,810(new)

Task 2 – Plans, Specs and Estimate

Amendment No. 3 \$11,870(new)

Task 3 – Plans, Specs and Estimate

Amendment No. 3 \$117,277(new)

Original Contract \$691,511

Amendment No. 1 \$25,680

Amendment No. 2 \$55,377

New PO Total \$1,012,525 (revised)

5. 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

Nichols Consulting Engineers

Frances Robustelli, Interim City Manager

J. Ryan Shafer, Principal

Attest:

Leticia I. Miguel, City Clerk

Budget Approved:

Approved as to Fiscal Authority:

Susan Hsieh, Finance Director

210-38-419-5120
Account Number

Approved as to Form:

Richard D. Pio Roda, City Attorney

Keith R. Cooke, Director
Engineering and Transportation Department