

**CITY OF RICHMOND
CONTRACT AMENDMENT**

Department: Public Works	Project Manager: Angela Walton
Project Manager E-mail: Angela_Walton@ci.richmond.ca.us	Project Manager Phone No: (510) 621-1610
P.R. No:	Vendor No: 5780
P.O./Contract No: 4200	
Description of Services: On Call Engineering Consulting Services	
Amendment No. 3 modifies the: (2 nd or subsequent amendments attach Amendment History page)	
<input type="checkbox"/> Term, Payment Limit and Service Plan	<input checked="" type="checkbox"/> Payment Limit and Service Plan
<input type="checkbox"/> Term and Service Plan	<input type="checkbox"/> Service Plan

The parties to this Contract Amendment do mutually agree and promise as follows:

1. Parties. The parties to this Contract Amendment are the City of Richmond, California, a municipal corporation (City), and the following named Contractor:
Nichols Consulting Engineers, Chtd.

Company Name:

Street Address: 501 Canal Blvd., Suite I

City, State, Zip Code: Richmond, Ca 94804

Contact Person: Ryan Shafer

Telephone: (510) 215-3620

Email: rshafer@ncenet.com

Business License No:

/ Expiration Date:

A California corporation, limited liability corporation general partnership, limited partnership, individual, non-profit corporation, individual dba as [specify:] _____
 other [specify:] A Nevada Corporation

2. Purpose. This Contract Amendment is being entered into to amend the Contract between City and Contractor which was approved by the City Council of the City of Richmond or executed by the City Manager on JULY 1, 2018, which **original** term commenced on July 1, 2018 and terminates June 30, 2023 with an **original** contract payment limit of \$600.000. Said contract shall hereinafter be referred to as the "Original Contract" and is incorporated herein by reference.

3. Original Contract Provisions. The parties hereto agree to continue to abide by those terms and conditions of the Original Contract, and any amendments thereto, which are unaffected by this Contract Amendment.

4. Amendment Provisions. This Contract Amendment is subject to the Amendment Provisions attached hereto, which are incorporated herein by reference, and which control over any conflicting provisions of the Original Contract, or any amendment thereto.

5. City of Richmond Business License Active Status Maintained. Pursuant to Municipal Code Section 7.04.030, the Contractor must maintain its City of Richmond business license for this Contract Amendment to be deemed to be in effect.

6. Insurance Coverage Updated and Maintained. Pursuant to the Original Contract, the Contractor shall provide the City with updated insurance certificates, and the Contractor shall maintain insurance coverage, for this Contract Amendment to be deemed to be in effect.

7. Signatures. These signatures attest the parties' agreement hereto:

CITY OF RICHMOND, CALIFORNIA
a municipal corporation

CONTRACTOR:
Nichols Consulting Engineers, Chtd.

By _____

(*The Corporation Chairperson of the Board, President or Vice-President should sign on the line below.)

Title:

By _____

I hereby certify that the Original Contract and this Amendment have been approved by the City Council or executed by the City Manager.

Title: _____

(*The Corporation Chief Financial Officer, Secretary or Assistant Secretary should sign on the line below.)

By _____
City Clerk

By: _____

Title: _____

Approved as to form:

By _____
City Attorney

(NOTE: Pursuant to California Corporations Code Section 313, if Contractor is a corporation or nonprofit organization, this Contract (1) should be signed by the Chairperson of the Board, President or Vice-President and the Chief Financial Officer, Secretary or Assistant Secretary; (2) should have both signatures conform to designated representative groups pursuant to Corporations Code Section 313.

List of Attachments:

1. Amendment Provisions
2. Updated Insurance Certificates

Contact Amendment Instruction Sheet

For Contract Amendment # 1 select one of the following Contract Amendment Provision forms based on one of the following conditions (if this is the 2nd or subsequent amendment to an existing contract, an Amendment History page is required outlining the details of all subsequent amendments in addition to **ONE** of the amendment provisions pages listed below).

1. **Term, Payment Limit and Service Plan** (increases both the term and the dollar limit of the contract and may modify the service plan of the original contract to include additional tasks and/or services in relation to the existing contract (if applicable))
2. **Payment Limit and Service Plan** (increases the dollar limit of the contract, but does not extend the term of the contract and may modify the service plan of the original contract to include additional tasks and/or services in relation to the existing contract (if applicable))
3. **Term and Service Plan** (extends the term of the contract, but does not increase the dollar amount of the contract and may modify the service plan of the original contract to include additional tasks and/or services in relation to the existing contract (if applicable))
4. **Service Plan** (modifies the service plan of the original contract to include additional tasks and/or services in relation to the existing contract)
5. **Amendment History** (if this is the 2nd or subsequent amendment to an existing contract, an Amendment History page is required outlining the details of all subsequent amendments in addition to **ONE** of the amendment provisions pages listed above (one of items 1-4))

If you need to make any other changes to the contract, you should consider executing a new City of Richmond Standard Contract.

Again, only **ONE** of the following Amendment Provisions pages and an Amendment History page (**if this is the 2nd or subsequent amendment**) should be used and attached to this Contract Amendment.

Amendment No.

3

P.O./Contract No.

4200

AMENDMENT PROVISIONS (TERM, PAYMENT LIMIT AND SERVICE PLAN)

1. Paragraph 2 (Term) of the Original Contract is hereby amended to extend the Contract term. Paragraph 2 of the Original Contract is amended to read as follows:

"2. Term. The effective date of this Contract is

(Insert original contract commencement date)

and it terminates

(Insert new contract termination date)

unless sooner terminated as provided herein."

2. Paragraph 3 (Payment Limit) of the Original Contract is hereby amended to increase the payment limit by \$_____. Paragraph 3 of the Original Contract is amended to read as follows:

"3. Payment Limit. City's total payments to Contractor under this Contract shall not exceed \$_____ including expenses."

"The City of Richmond shall not pay for services that exceed the Contract Payment Limit without the prior written approval of the City Manager if the total Contract amount does not exceed \$10,000 or without the prior approval of the City Council if the total Contract amount is over \$10,000."

3. The Service Plan (Exhibit A) of the Original Contract is hereby amended to include the following tasks and/or services:

Amendment No.

3

P.O./Contract No.

4200

AMENDMENT PROVISIONS (PAYMENT LIMIT AND SERVICE PLAN)

1. Paragraph 3 (Payment Limit) of the Original Contract is hereby amended to increase the payment limit by \$ 2,060,000. Paragraph 3 of the Original Contract is amended to read as follows:

"3. Payment Limit. City's total payments to Contractor under this Contract Amendment shall not exceed \$ 3,869,000 including expenses."

"The City of Richmond shall not pay for services that exceed the Contract Payment Limit without the prior written approval of the City Manager if the total Contract amount does not exceed \$10,000 or without the prior approval of the City Council if the total Contract amount is over \$10,000."

2. The Service Plan (Exhibit A) of the Original Contract is hereby amended to include the following tasks and/or services:

N/A

Amendment No.

3

P.O./Contract No.

4200

AMENDMENT PROVISIONS (TERM AND SERVICE PLAN)

1. Paragraph 2 (Term) of the Original Contract is hereby amended to extend the Contract term. Paragraph 2 of the Original Contract is amended to read as follows:

"2. Term. The effective date of this Contract is

(Insert original contract commencement date)

and it terminates

(Insert new contract termination date)

unless sooner terminated as provided herein."

2. The Service Plan (Exhibit A) of the Original Contract is hereby amended to include the following tasks and/or services:

Amendment No.

3

P.O./Contract No.

4200

**AMENDMENT PROVISIONS (SERVICE PLAN)
(CONTRACTOR'S OBLIGATION'S)**

The Service Plan (Exhibit A) of the Original Contract is hereby amended to include the following tasks and/or services:

Amendment No.
3

P.O./Contract No.
4200

AMENDMENT PROVISIONS (AMENDMENT HISTORY)

The **first** Contract Amendment was approved by City Council of the City of Richmond or executed by the City Manager on 11-10-2020 for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ 609000 for a payment limit not to exceed \$ 1,200,000.
- Term Amendment (insert new termination date): _____
- Service Plan

The **second** Contract Amendment was approved by City Council of the City of Richmond or executed by the City Manager on 06/15/2021 for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ 600,000 for a payment limit not to exceed \$ 1,800,000.
- Term Amendment (insert new termination date): JUNE 30, 2023
- Service Plan

The **third** Contract Amendment was approved by City Council of the City of Richmond or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ 2,060,000 for a payment limit not to exceed \$ 3,860,000.
- Term Amendment (insert new termination date): _____
- Service Plan

The **fourth** Contract Amendment was approved by City Council of the City of Richmond or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ _____ for a payment limit not to exceed \$ 600.00.
- Term Amendment (insert new termination date): _____
- Service Plan

The **fifth** Contract Amendment was approved by City Council of the City of Richmond or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ _____ for a payment limit not to exceed \$ 600.00.
- Term Amendment (insert new termination date): _____
- Service Plan

Contract Amendment between the City of Richmond and
Nichols Consulting Engineers, Chtd.

Amendment No. _____

P.O./Contract No. _____

3

The **sixth** Contract Amendment was approved by City Council of the City of Richmond or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ _____ for a payment limit not to exceed \$ 600.00.
- Term Amendment (insert new termination date): _____
- Service Plan

The **seventh** Contract Amendment was approved by City Council of the City of Richmond or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ _____ for a payment limit not to exceed \$ 600.00.
- Term Amendment (insert new termination date): _____
- Service Plan

The **eighth** Contract Amendment was approved by City Council of the City of Richmond or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ _____ for a payment limit not to exceed \$ 600.00.
- Term Amendment (insert new termination date): _____
- Service Plan

The **ninth** Contract Amendment was approved by City Council of the City of Richmond or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ _____ for a payment limit not to exceed \$ 600.00.
- Term Amendment (insert new termination date): _____
- Service Plan

The **tenth** Contract Amendment was approved by City Council of the City of Richmond or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ _____ for a payment limit not to exceed \$ 600.00.
- Term Amendment (insert new termination date): _____
- Service Plan