

**SECOND AMENDMENT TO AGREEMENT FOR CONSULTING SERVICES
BETWEEN THE CITY OF SAN PABLO AND MERCURIO ENGINEERING**

THIS SECOND AMENDMENT TO AGREEMENT FOR CIVIL ENGINEERING CONSULTING SERVICES is effective this 19th day of December, 2023, by and between the CITY OF SAN PABLO, a municipal corporation ("City") and Mercurio Engineering ("Consultant").

R E C I T A L S

WHEREAS, on January 12, 2023, CITY and Consultant entered into an Agreement for Civil Engineering Consulting Services ("Agreement"); and

WHEREAS, on May 9, 2023, CITY and Consultant executed the First Amendment to the Agreement for Civil Engineering Consulting Services, authorizing an additional \$10,000 for Fiscal Year 2023/24, for a total compensation not to exceed \$45,000; and

WHEREAS, the parties have agreed to modify the terms of that Agreement related to Compensation and Term;

NOW, THEREFORE, THE PARTIES DO MUTUALLY AGREE AS FOLLOWS:

1. **COMPENSATION.** Section 2 of the Agreement, "Compensation" is amended to include the following provision(s):

"CITY shall pay Consultant up to an additional **Thirty-Five Thousand Dollars (\$35,000)** for services rendered, for a total compensation under this contract as amended not to exceed **Eighty Thousand Dollars (\$80,000)** on a time and materials basis based on the billing rates presented in Exhibit A to the underlying Agreement."

2. **EFFECTIVE DATE AND TERM.** Section 4 of the Agreement, "Effective Date and Term" is amended to include the following provisions:

"The terms of this Agreement, ("Term") begins on the Effective Date set forth above, and expires on December 31, 2024. If the Term expires later than the end of the City's fiscal year, the continuation of the Term into the next fiscal year will be contingent upon the City's lawful encumbrance or appropriation of new funds for the Agreement."

3. All other terms and conditions of the Agreement, as amended, shall remain in full force and effect.

APPROVED AS TO FORM:

CITY OF SAN PABLO
A Municipal Corporation

By _____

By _____

Brian P. Hickey, City Attorney

Matt Rodriguez, City Manager

Dated _____

MERCURIO ENGINEERING

By _____
Jill Mercurio, Principal

Dated _____

ATTEST:

By _____
Dorothy Gantt, City Clerk

Dated _____