

**Master City of San José Consultant Agreement  
Amendment to Approved Service Order – RWF Capital Projects  
Cover Page**

---

- 1a. CPMS Contract No.: 8125-2 1b. Master Agreement AC No.: 27747
2.  First  Second  Third  Fourth  Fifth Amendment to Approved Service Order No. 2
3. Consultant's Name: MNS Engineers, Inc. ("Consultant")
- 

Project Name: Construction Management and Inspection Services for Advanced Facility Control and Meter Replacement - Phase 1 Project ("Project")

Amendment Description: This Fifth Amendment to Service Order No. 2 reallocates compensation from Task No. 6 (Construction Closeout Activities) to Task No. 4 (Construction Inspection Services).

---

**4. The above-referenced Approved Service Order is amended as follows:**

- a.  **Budget/Fiscal:** The  original  First Revised  Second Revised  Third Revised Budget/Fiscal  Fourth Revised Budget/Fiscal Attachment is amended to read as set forth in the attached  First  Second  Third Revised Budget/Fiscal Attachment  Fourth Revised Budget/Fiscal Attachment.  Fifth Revised Budget/Fiscal Attachment.
- b.  **Tasks – Attachment A:** The  original  First Revised  Second Revised  Third Revised  Fourth Revised Attachment A is amended to read as set forth in the attached  First  Second  Third  Fourth  Fifth Revised Attachment A.
- c.  **Terms and Conditions – Attachment B:** The  original  First Revised  Second Revised  Third Revised  Fourth Revised Attachment B is amended to read as set forth in the attached  First  Second  Third B  Fourth  Fifth Revised Attachment B.
- d.  **Compensation Table – Attachment C:** The  original  First Revised  Second Revised  Third Revised  Fourth Revised Attachment C is amended to read as set forth in the attached  First  Second  Third  Fourth C  Fifth Revised Attachment.

5. Each of the attachments to this amendment is incorporated herein by reference.

---

6. **Consultant Approval:**   
Greg Chelini (Oct 15, 2021 16:09 PDT) Date: Oct 15, 2021

**7. Approval as to Form (City Attorney):**

**Approved Service Order Amendment Form Approved by the Office of the City Attorney**

(The Maximum Service Order Compensation of the Approved Service Order, as amended, is \$100,000 or less, and the provisions of service order amendment form are not altered.)

**Approved as to Form:**

Sr. Dept. City Attorney: 

Date: Oct 21, 2021

**8. City Director Approval:**

  
Napp Fukuda (Oct 21, 2021 13:16 PDT)

Date: Oct 21, 2021



Oct 21, 2021

First  Second  Third  Fourth  Fifth Revised Budget/Fiscal Attachment

1. This Revised Budget/Fiscal Attachment is attached to the  First  Second  Third  Fourth  Fifth amendment to Approved Service Order No. 2 issued pursuant to the Master Agreement having the above-referenced CPMS Contract No.
2. The Maximum Service Order Compensation set forth on Line 7.b. of Section 7 of the Approved Service Order cover page is:
  - Decreased from \$ \_\_\_\_\_ to \$ \_\_\_\_\_.
  - Increased from \$ \_\_\_\_\_ to \$ \_\_\_\_\_.

3. Section 7 of the Approved Service Order cover page is appended to read as follows:

a. Current <b>unencumbered</b> amount in Master Agreement:	\$	580,698.26	
b. Service Order Compensation for this Service Order 02 Amendment:	\$	0.00	
c. New unencumbered balance in Master Agreement:	\$	580,698.26	
d. <b>Appropriation Certification:</b> I certify that an unexpended appropriation in the amount of the Maximum service Order Compensation is available in the following fund(s) and that such fund(s) will be encumbered to pay for this Approved Service Order.			
Fund: 512	Appn: 7224	RC: 183495	Amount: \$26,407.00
Fund: 512	Appn: 7224	RC: 183496	Amount: (\$26,407.00)
Fund: _____	Appn: _____	RC: _____	Amount: \$ _____
Fund: _____	Appn: _____	RC: _____	Amount: \$ _____
Division Analyst Approval: <u>Mary Crippen</u>		Date: <u>Oct 15, 2021</u>	
Authorized Signature: <u>Harpal Singh</u>		Date: <u>Oct 20, 2021</u>	
		<small>Harpal Singh (Oct 20, 2021 07:58 PDT)</small>	

First  Second  Third  Fourth  Fifth Revised Attachment C: Compensation Table

This Revised Attachment C is an attachment to the  First  Second  Third  Fourth  Fifth amendment to Approved Service Order No. 2 issued pursuant to the Master Agreement having the above-referenced CPMS Contract No. The Revised Attachment C attached to the Second Amendment to Approved Service Order No. 2, including any exhibits thereto, is deleted in its entirety and replaced by the following:

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Task No. and Task Title from Attachment A	Invoice Period	Multiplier Compensation	Contract Personnel	Reimbursable Expenses (Including applicable markup)	Subconsultant Costs (Including markup)	Total Compensation
Task 1 – Project Management, QA/QC, Meetings	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$78,800.00	\$0	\$0	\$0	\$78,800.00
Task 2 – Pre-Construction Phase Services	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$5,162.40	\$0	\$0	\$0	\$5,162.40
Task 3 – Construction Management (CM) Services	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$143,515.96	\$0	\$0	\$0	\$143,515.96
Task 4 – Construction Inspection Services	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$270,710.70	\$417,576.42	\$0	\$5,659.38	\$693,946.50
Task 5 – Testing, Startup, and Commissioning Support (Optional)	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$44,149.06	\$0	\$0	\$16,443	\$60,592.06
Task 6 – Construction Closeout Activities	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$7,000.00	\$18,000.00	\$0	\$0	\$25,000.00
<b>Maximum Compensation</b>		\$549,338.1	\$435,576.42	\$0	\$22,102.38	\$1,007,016.92



- FOR YOUR ELECTRONIC SIGNATURE
- FULLY EXECUTED COPY TO FOLLOW


CITY STAFF: \_\_\_\_\_  
STAFF EMAIL: \_\_\_\_\_

## SCANNED SIGNATURE AUTHORIZATION

DATE: 9/9/20 TOTAL PAGES: \_\_\_\_\_  
(INCLUDING THIS PAGE)

CONSULTANT NAME: Greg Chelini  
EMAIL: gchelini@mnsengineers.com  
PHONE: 805-896-9474

x I agree to use electronic signatures

SIGNATURE OF CONSULTANT: 

### DIRECTIONS:

REVIEW THE ENCLOSED DOCUMENT, IF IT IS ACCEPTABLE:

1. SIGN THE DOCUMENT
2. CHECK THE BOX BELOW YOUR NAME AND SIGN AGREEING TO THE USE OF ELECTRONIC SIGNATURES
3. SCAN YOUR EXECUTED DOCUMENT TOGETHER WITH THIS COVER PAGE **IN BLUE INK**
4. EMAIL THE ENTIRE DOCUMENT TO (CITY STAFF EMAIL ADDRESS):

### To BE COMPLETED BY CITY STAFF:

ALTERNATIVE METHODS OF VERIFICATION:

- USE OF A PASSWORD PROTECTED WEBSITE
- CONFIRMED BY A KNOWN TELEPHONE NUMBER
- PERSONALLY KNOWN TO CITY STAFF

# City of San José Contract/Agreement Transmittal Form

## Route Order

## Attached / Completed

## Electronically Signed

TO:  City Attorney  
 City Manager  
 City Clerk **OR** Return to  
Dept. (circle one)

Insurance Certificates / Waivers  Electronically Signed: Select one  
 Business Tax Certificate  Audit Trail Attached (if applicable)  
 Contacted Clerk re: Form 700  Scanned Signature Authorization  
 Supplemental Memorandums (if applicable): Select One

Type of Document: Amendment

Type of Contract: Consulting Services

### REQUIRED INFORMATION FOR ALL CONTRACTS:

Existing GILES # 661390-024

Contractor: MNS Engineers, Inc.

Address: 201 N. Calle Cesar Chavez, Suite 300, Santa Barbara CA 93103

Phone: 8015.692.6921

Email: gchelini@mnsengineers.com

Contract Description: Service Order 02 Fifth Amendment -- Task Budget Reallocation

Term Start Date: \_\_\_\_\_ Term End Date: \_\_\_\_\_ Extension: Select one

Method of Procurement: Select one RFB, RFP or RFQ No.: \_\_\_\_\_ Date Conducted: \_\_\_\_\_

Agenda Date (if applicable): \_\_\_\_\_ Agenda Item No.: \_\_\_\_\_

Resolution No.: \_\_\_\_\_ Ordinance No.: \_\_\_\_\_

Original Contract Amount: \_\_\_\_\_ Amount of Increase/Decrease: 0

Option #: \_\_\_ of \_\_\_ Option Amount: \_\_\_\_\_ NTE/Updated Contract Amount: 1,007,016.92

Fund/Appropriation: \_\_\_\_\_

Form 700 Required (Selection mandatory for processing): Yes

Revenue Agreement: Select one

Tax Certificate No.: 2380994879

Expiration Date: 9/15/2022

Department: ESD (76)

Department Contact: Norman Mascarin x54006

Customer (Finance Only): \_\_\_\_\_

Notes:

Department Director Signature: \_\_\_\_\_ Date

Office of the City Manager Signature: \_\_\_\_\_ Date