

First **Amendment to Standard City of San José Vendor Agreement**

Second

Vendor's Name: Compex Legal Services, Inc.

Third

(Standard Agreement AC No. 665731)

This Amendment is made and entered into on Sep 23, 2021. The City and Vendor amend the above-reference agreement as set forth herein.


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1. Capitalized words in this Amendment have the same meaning as in the Agreement.
 2. The provisions of this Agreement (including any previous amendments) not modified by this Amendment remain in full force and effect.
 3. The provisions of this Amendment are effective upon execution of the Amendment by both parties.
 4. **Agreement Term:** Section 2 is amended to retroactively extend the expiration date from June 30, 2021 to December 31, 2021. The extension is retroactive to the expiration date of the Agreement. The City Attorney accepts and approves any services provided after the expiration date and before the execution of this Amendment.
 5. **Maximum Total Compensation:** Subsection 10.1 is amended to Increase Decrease the Maximum Total Compensation from \$_____ to \$_____.
 6. **Agreement Section(s):** Section(s) _____ is/are amended to read as set forth in Attachment A of the Amendment.
 7. **Scope of Basic Services – Exhibit A:** The original First Revised Second Revised Exhibit A is amended to read as set forth in the attached First Second Third Revised Exhibit A, which is incorporated by reference into this Amendment.
 8. **Compensation – Exhibit B:** The original First Revised Second Revised Exhibit B is amended to read as set forth in the attached First Second Third Revised Exhibit B, which is incorporated by reference into this Amendment.
 9. **Additional Services:** The Vendor is authorized to perform the Additional Services set forth in the attached Additional Services Exhibit, which is incorporated by reference into this Amendment.
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This Amendment is executed by the authorized representatives of the City and Vendor as follows:

City of San José

By *Nora Frimann* Sep 23, 2021
Nora Frimann (Sep 23, 2021 2:05:57 PDT)
Name: Nora Frimann **Date**
Title: City Attorney

Vendor

By  Jul 29, 2021
Name: Anthony Bazarto **Date**
Title: Executive Vice President

Approval as to Form (City Attorney):

Form Approved by the Office of the City Attorney.
(Maximum Total Compensation, as amended, is \$100,000 or less, and the provisions of the form are not altered.)

Approved as to Form:

[Sr.] Deputy City Attorney **Date**

By *HUMILDAD PASIMIO* Sep 15, 2021
HUMILDAD PASIMIO (Sep 15, 2021 12:08 PDT)
Name: Humildad Pasimio **Date**
Title: Chief Financial Officer, Vice President of Human Resources

First

Second

Revised Exhibit A: Scope of Basic Services

Third

This revised Exhibit A is an attachment to the First Second Third amendment to Agreement.

The tasks set forth in the original Exhibit A, or in any previous amendment to the original Exhibit A, are amended as follows:

Task No. 1, entitled "Document subpoena and record retrieval services," is amended to read as follows:

- A. Services:** Vendor shall provide process serving and business records subpoena services in connection with confidential legal matters pending in the Office of the City Attorney as directed by the City Attorney or his designee. These services may include, but are not limited to:
1. Process serving and business records subpoena service within Santa Clara County
 2. Process serving and business records subpoena service in remainder of California
 3. Process serving and business records subpoena service out of state
 4. Additional location
 5. Authorization service
 6. Subpoena preparation, including copying and pick-up
 7. Delivery of subpoena/authorization
 8. Rush processing
 9. Amended subpoena
 10. Research bad address/skip tracing
 11. Witness fee
 12. Advanced fee to deponents
 13. Additional notices
 14. Page numbering
 15. Bates stamping/labeling
 16. Formatting medical records, including inserting tabs
 17. X-ray Processing and inventory
 18. X-ray duplication
 19. CD/DVD duplication
 20. Pick-up and delivery of x-rays
 21. Delivery of x-rays to third party
 22. Notice to opposing counsel
 23. Certificate of no records
 24. Additional records provided at a later date
 25. Confidentiality and non-disclosure agreements with all employees

Services will be performed upon request by an employee of the City Attorney's Office throughout the term of this Agreement, pursuant to a schedule for each job as directed by the employee of the City Attorney's Office.

Vendor shall provide telephonic customer service to the City Attorney's Office as needed.

Service Request Form: City prefers an electronic service request form (which can be received by Vendor via computer transmission) for City to provide instructions with respect to each job requested (either via a secured internet portal or fillable pdf form).

B. Deliverable: Documents as appropriate based on the specifications for each job requested by the City.

C. Completion Time: The Vendor must complete the services and deliverable for this task in accordance with whichever one of the following time is marked:

On or before the following date: December 31, 2021.

On or before ____ Business Days from _____.

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: Yes
 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: Professional Services

REQUIRED INFORMATION FOR ALL CONTRACTS:

Existing GILES # 665731-002

Contractor: Compex Legal Services, Inc.

Address: 325 Maple Drive, Torrance, CA 90503

Phone: 408-960-5982

Email: sheryl.boardman@compexlegal.com

Contract Description: Second amendment to agreement for document subpoena and record retrieval services for the City Attorney's Office.

Term Start Date: 02/27/2020 Term End Date: 12/31/2021 Extension: Yes

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: \$32,000 Amount of Increase/Decrease: _____

Option #: ___ of ___ Option Amount: _____ NTE/Updated Contract Amount: _____

Fund/Appropriation: 001-44000050-4052

Form 700 Required (Selection mandatory for processing): No

Revenue Agreement: No


Tax Certificate No.: 3665671210

Expiration Date: 09/15/2021

Department: Attorney (44)

Department Contact: Kara Lamm Customer (Finance Only): _____

Notes:

Department Director Signature:  Sep 23, 2021
Date

Office of the City Manager Signature: _____
Date