

First

Amendment to Standard City of San José Consultant Agreement

(Non-Capital Projects)

Second

Consultant's Name: Fire and Risk Alliance, LLC

Third

(Standard Agreement AC No. 666032-000)

This Amendment is made and entered into this 14th day of June, 2022. The City and Consultant 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:** Subsection 2.1 is amended to extend the expiration date from _____ to _____.
 5. **Maximum Total Compensation:** Subsection 10.1 is amended to Increase Decrease the Maximum Total Compensation from \$_____ to \$_____.
 6. **Agreement Section(s):** Section(s) 21 is 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 Consultant 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 Consultant as follows:

City of San José

By Sarah Zárate 06/14/2022
Name: Sarah Zárate Date
Title: Director, City Manager's Office

Consultant

By R. Wheeler 6/10/22
Name: Robert J. Wheeler Date
Title: Managing Partner

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:

Enrique Fernandez Jun 10, 2022
Deputy City Attorney Date

First

Attachment A

Second

Agreement Provision Amendment(s)

Third

(Non-Capital Project)

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

Subsection 21.12 is added to Section 21 as follows:

21.12: Remote Access Policy: Consultant represents it is familiar with the City's Administrative Policy Manual section 1.7.3, which governs remote access to the City's computing network, system, data, and applications. The Consultant shall comply with this policy at all times.

21.13: Information Systems and Security Policy: Consultant represents it is familiar with the City's Administrative Policy Manual section 1.7.6, which establishes the governance and management of information, information systems, standards, guidelines, and procedures to ensure the maintenance of a comprehensive security architecture that achieves high defense and resilience, protecting the information, operations, and resources that support City services to the community. The Consultant shall comply with this policy at all times.



- FOR YOUR ELECTRONIC SIGNATURE
- FULLY EXECUTED COPY TO FOLLOW


CITY STAFF: Jeannette Mestaz-Romero
STAFF EMAIL: jeannette.mestaz@sanjoseca.gov

SCANNED SIGNATURE AUTHORIZATION

DATE: 05/10/22 TOTAL PAGES: (INCLUDING THIS PAGE) 4

CONSULTANT NAME: Robert J. Wheeler
EMAIL: rwheeler@fire-risk-alliance.com
PHONE: (650) 605-7553

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):
JEANNETTE.MESTAZ@SANJOSECA.GOV

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: 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: Consulting Services

REQUIRED INFORMATION FOR ALL CONTRACTS:

Existing GILES # 666032 001

Contractor: Fire & Risk Alliance, LLC

Address: 2551 San Ramon Valley Blvd., Suite 207

Phone: (650) 382-0999

Email: rwheeler@fireriskalliance.com

Contract Description: Amendment #1 to the Consultant Agreement to conduct inspections to ensure compliance with building, fire, and housing codes and to review plans and support documents for building permit applications.

Term Start Date: 07/01/2020 Term End Date: 06/30/2020 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: \$320,000 Amount of Increase/Decrease: 0

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

Fund/Appropriation: 001/0542

Form 700 Required (Selection mandatory for processing): No Revenue Agreement: No

Tax Certificate No.: _____ Expiration Date: _____

Department: Fire (54)

Department Contact: Jeannette Mestaz-Romero Customer (Finance Only): _____

Notes:

Department Director Signature: Robert Sapian Jr. Jun 13, 2022
Date

Office of the City Manager Signature: _____
Date