

AMENDMENT No. #2 TO AGREEMENT FOR ENGINEERING SERVICES

This Amendment to Agreement For Engineering Services ("Amendment") is made and entered into between San Jose Unified School District ("District") and **Salas O'Brien** ("Engineer") (collectively "Parties"; "Party" shall refer to as Engineer and/or District).

RECITALS

- A. WHEREAS, Engineer and District entered into a written Agreement for Engineering Services on or about September 15, 2017 identified as Project #80025 Summer 2018 Airedale ("Agreement"):
- B. WHEREAS, The design needed to be revised at San Jose High School Building 1000 from rooftop HVAC to split system unit due to structural review comments on the existing ceiling; and
- C. WHEREAS, it is now the desire and intention of the Parties to amend the Agreement as indicated in this Amendment,

NOW, THEREFORE, in light of the foregoing facts and in further consideration of the promises and agreements of the Parties set forth herein below, it is mutually agreed as follows:

TERMS AND CONDITIONS

1. The amount reflected in Article #6 of the Agreement, Seven Hundred Forty-Two Thousand Seven Hundred Fifty (\$742,750.00) which was previously amended to Seven Hundred Eighty-Five Thousand Four Hundred Sixty-Two (\$785,462.00) shall now be replaced with Eight Hundred Thousand Four Hundred Sixty-Two (\$800,462.00).
2. The Schedule of Work reflected in Exhibit C of the Agreement listed under "Schedule of Work" shall remain the same.
3. The Parties acknowledge that this Amendment is subject to approval or ratification by the District Board of Education ("Board"). In the event that the Board rejects this Amendment, none of the Parties shall be deemed to have waived any rights with respect to the Agreement.
4. All other provisions of the Agreement shall remain in full force and effect and are reaffirmed. If there is any conflict between this Amendment and any provision of the Agreement, the provisions of this Amendment shall control.

IN WITNESS WHEREOF, the Parties have accepted, agreed, and executed this Amendment on the date(s) specified below.

Dated: _____

Dated: 9/12/2018 1:49:55 PM PDT

SAN JOSE UNIFIED SCHOOL DISTRICT

SALAS O'BRIEN

By: _____

By: _____

DocuSigned by:

John Thomson

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Print Name: Florence Eng

Print Name: John Thomson

Print Title: Director of Business Support Services

Print Title: Principal