

**FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF SOUTH
SAN FRANCISCO AND Primex Municipal Water Control Solutions.**

THIS *FIRST* AMENDMENT TO THE *CONSULTING* AGREEMENT is made at South San Francisco, California, as of _____ by and between THE CITY OF SOUTH SAN FRANCISCO (“City”), a municipal corporation, and Primex Municipal Water Control Solutions. (“Contractor”), (sometimes referred together as the “Parties”) who agree as follows:

RECITALS

A. On August 24, 2016 City and Contractor entered that certain *Consulting* Agreement (“Agreement”) whereby Contractor agreed to calibrate, maintain, and service electrical instrumentation and Supervisory Control and Data Acquisition (SCADA) equipment at the Water Quality Control Plant and pumping stations.

A true and correct copy of the Agreement and its exhibits is attached as Exhibit A.

B. City and Contractor now desire to amend the Agreement.

NOW, THEREFORE, for and in consideration of the promises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Contractor hereby agree as follows:

1. All terms which are defined in the Agreement shall have the same meaning when used in this Amendment, unless specifically provided herein to the contrary.
2. Section 1: Term. The June 30, 2019 end date for the term of services identified in Section 1 of the Agreement is hereby replaced with June 30, 2021.
3. Section 2: Compensation. Section 2 of the Agreement shall be amended such that the City agrees to pay Contractor a sum not to exceed \$185,000 per year, for each of the five (5) years of the term of the Agreement.

Contractor agrees this is the City’s total contribution for payment of costs under the Agreement unless additional payments are authorized in accordance with the terms of the Agreement and said terms of payment are mutually agreed to by and between the parties in writing.

All other terms, conditions and provisions in the Agreement remain in full force and effect. If there is a conflict between the terms of this Amendment and the Agreement, the terms of the Agreement will control unless specifically modified by this Amendment.

[SIGNATURES ON THE FOLLOWING PAGE]

Dated: _____

CITY OF SOUTH SAN FRANCISCO

CONTRACTOR

By: _____
Mike Futrell, City Manager

By: _____
[NAME]

Approved as to Form:

By: _____
City Attorney

DRAFT