

**FIRST AMENDMENT
TO
PROFESSIONAL SERVICES AGREEMENT
FOR ON-CALL ENGINEERING SERVICES FOR IMP AND NAMP
CONTRACT NUMBER: 4600020005**

This amendment to the Professional Services Agreement for **On-Call Engineering Services for IMP and NAMP** authorized by **Ordinance No. 2022-_____**, is entered into by and between the **City of San Antonio ("City")**, a home rule municipal corporation, and **Bain Medina Bain, Inc. ("Consultant")**, referred to collectively herein as the "Parties".

WHEREAS, on January 14, 2021 through Ordinance No. 2021-01-14-0017 City Council approved a professional services agreement in an amount not to exceed \$400,000.00, authorized payable to **Bain Medina Bain, Inc.**, to provide to provide as needed civil engineering services, program management services, construction inspection services, construction engineering services, expanded construction management services and training services, with the option to extend the term and increase the not to exceed amount to \$800,000.00; and

WHEREAS, there have been no previous amendments to this contract; and

WHEREAS, the proposed amendment for additional construction services will increase the contract by \$200,000.00 to a total of \$1,000,000.00; and

WHEREAS, it is necessary to amend the Original Agreement to provide for additional civil engineering services, program management services, construction inspection services, construction engineering services, expanded construction management services and training services for projects located citywide; and

WHEREAS, this amendment increases the total contract capacity by an amount not to exceed **\$200,000.00** to provide for the cost of the additional services for total contract amount of **\$1,000,000.00**; and

NOW THEREFORE, in consideration of the terms, covenants, agreements and demises herein contained each to the other given, the sufficiency and receipt of which are hereby acknowledged, the Original Agreement, as previously amended, is amended as follows:

1. ARTICLE II. COMPENSATION

II.1 The Compensation for all services included in this Agreement **SHALL NOT EXCEED SIX HUNDRED THOUSAND AND NO/100 DOLLARS (\$600,000.00)**. Any extension of this Agreement, up to one (1) additional one-year "extension Period", may increase the total amount of this Agreement

to an amount not to **EXCEED ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00)**.

- 2. **Exhibit 1 - Fee Summary.** The not-to-exceed contract amount set out in Exhibit 1 – Fee Summary of the Original Agreement is hereby increased by **TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$200,000.00)** for a total not-to-exceed contract amount of **ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00)**.

Except as amended hereby, all other provisions of the Agreement are hereby retained in their entirety and remain unchanged.

EXECUTED and **AGREED** to as of the dates indicated below.

CITY OF SAN ANTONIO

Bain Medina Bain, Inc.

(Signature)

Razi Hosseini
Director,

Public Works Department

Date: _____

DocuSigned by:

Carl Bain

(Signature)

Printed Name: Carl Bain

Title: Executive Vice President

Date: 4/11/2022

Approved as to Form:

Assistant City Attorney