

**AMENDMENT NO. 5 TO AGREEMENT A3555A
BETWEEN THE SANTA CLARA VALLEY WATER DISTRICT
AND BLACK AND VEATCH**

This Amendment No. 5 (“Amendment”), effective as of the date it is fully executed by the Parties, amends the terms and conditions of the Standard Consultant Agreement A3555A (“Agreement”) dated January 24, 2012, Amendment No. 1 dated April 1, 2014, Amendment No. 2 dated June 24, 2014, Amendment No. 3 dated October 26, 2015, and Amendment No. 4 dated July 15, 2016 between SANTA CLARA VALLEY WATER DISTRICT hereinafter called (“District”) and BLACK AND VEATCH hereinafter called (“Consultant”), collectively, the “Parties.”

RECITALS

WHEREAS, Consultant is performing project management services for the Anderson Dam Seismic Retrofit Project (Project) during the design phase; and

WHEREAS, the Parties desire to amend the Agreement for Consultant to continue performing project management services during the extended design phase of the Project; and

WHEREAS, the Agreement has an expiration date of December 31, 2016; and

WHEREAS, the Parties desire to amend the Agreement to extend its term so Consultant can continue to perform project management services during the Project’s extended design phase. A subsequent amendment may be recommended for approval to the District’s Board of Directors describing any revised scope of services; providing for an increased not-to-exceed compensation limit correlating to the additional services and extended term; and further extending the term of the Agreement.

NOW, THEREFORE, in consideration for the mutual promises and agreements contained herein and notwithstanding anything to the contrary in the Agreement, Consultant and District hereby agree as follows:

- A. Revised Appendix Three, Schedule of Completion, paragraph #1. is amended to revise the Agreement expiration date from December 31, 2016 to February 28, 2017.
- B. All other terms and conditions of Agreement A3555A, Amendment No. 1, Amendment No. 2, Amendment No. 3, and Amendment No. 4 not amended herein remain in full force and effect.


(signatures follow on next page)

IN WITNESS WHEREOF, THE PARTIES HAVE SET FORTH BELOW THEIR CONSENT TO THE TERMS AND CONDITIONS OF THIS AMENDMENT NO. 5 TO AGREEMENT A3555A THROUGH THE SIGNATURE OF THEIR DULY AUTHORIZED REPRESENTATIVES.

SANTA CLARA VALLEY WATER DISTRICT
"District"

BLACK AND VEATCH
"Consultant"

By: 
Norma Camacho
Interim CEO

By: 
Dan Meyer
Vice President

Date: 12/8/16

Date: 12-2-16

Firm Address:

2999 Oak Road, Suite 490
Walnut Creek, CA 94597

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