

**SECOND AMENDMENT TO
CONSULTANT AGREEMENT
BETWEEN
THE CITY OF SAN JOSE
AND
JACOBS CONSULTANCY, INC.**

This SECOND AMENDMENT TO AGREEMENT is entered into this ____ day of _____, 2009, by the CITY OF SAN JOSE ("CITY"), a municipal corporation, and, JACOBS CONSULTANCY, INC. a Texas corporation authorized to do business in the state of California ("CONSULTANT").

RECITALS

WHEREAS, on August 1, 2008, CITY and CONSULTANT entered into an agreement entitled "Agreement for Consultant Services between the City of San Jose and Jacobs Consultancy, Inc." ("AGREEMENT"); and

WHEREAS, on January 21, 2009, CITY and CONSULTANT entered into an Addendum of Minor Contract Amendment (First Amendment) to add subconsultants to the AGREEMENT; and

WHEREAS, CITY and CONSULTANT desire to amend the amended AGREEMENT to increase the amount of total compensation;

NOW, THEREFORE, the parties agree to amend the AGREEMENT as follows:

SECTION 1. SECTION 4, "COMPENSATION" is amended to read as follows:

“The compensation to be paid to CONSULTANT, including both payment for professional services and reimbursable expenses, shall not exceed Five Hundred Thousand Dollars (\$500,000.00). The rate and schedule of payment is set out in SECOND REVISED EXHIBIT D, entitled “COMPENSATION”, which is attached hereto and incorporated herein.”

SECTION 2. REVISED EXHIBIT D, “COMPENSATION” is amended to read as shown in SECOND REVISED EXHIBIT D, attached and incorporated into this SECOND AMENDMENT.

SECTION 5. All of the terms and conditions of the amended AGREEMENT not modified by this SECOND AMENDMENT shall remain in full force and effect.

WITNESS THE EXECUTION HEREOF on the day and year first written above.

"CITY"

APPROVED AS TO FORM:

CITY OF SAN JOSE, a municipal
corporation

KEVIN FISHER
Sr. Deputy City Attorney

By _____
LEE PRICE, MMC
City Clerk

"CONSULTANT"

JACOBS CONSULTANCY, INC., a Texas
corporation

By _____
Name:
Title:

SECOND REVISED EXHIBIT D

COMPENSATION

CITY agrees to compensate CONSULTANT at the hourly rates listed below for professional services performed in accordance with the terms and conditions of this AGREEMENT.

TITLE	RATE PER HOUR
Directors	\$260 - 300
Associate Directors	\$210 - 260
Principal Consultants	\$190 - 240
Senior Consultants	\$140 - 200
Consultants	\$110 - 150
Editors	\$100 - 120
Graphics Technicians	\$80 - 100
Project Support	\$80 - 100

The maximum amount of compensation to be paid to CONSULTANT under this AGREEMENT, including both payment for professional services and reimbursable expenses, shall not exceed Five Hundred Thousand Dollars (\$500,000). Any hours worked for which payment would result in a total exceeding the maximum amount of compensation set forth herein shall be at no cost to CITY.

Reimbursable expenses shall include transportation, reproduction, mailing and materials at actual cost.

RD:KWF:SBM
3/25/2009

CONSULTANT shall invoice Subconsultants per the attached fee schedules, plus five Percent (5%) markup.

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DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.

JACOBS ENGINEERING

POSITION	RATE PER HOUR
Project Manager Airfield/Airport Planning	\$157.27 - \$182.09
NAVAIDS / Lighting	\$86.84 - \$102.18
Airfield Engineer / Pavement	\$110.01 - \$129.43
TERPS approach/departure proc mods FAA coordination	\$170.51 - \$200.60

LANDRUM & BROWN

TITLE	RATE PER HOUR
Officer	\$250
Managing Director	\$225
Sr. Project Manager	\$210
Project Manager	\$195
Sr. Consultant	\$165
Consultant	\$150
Analyst	\$110
Analyst – Int	\$90
Project Administrator	\$95
Admin Assistant	\$75
Corporate Support	\$85

PLANNING TECHNOLOGY, INC.

Classification	2008 Rates	2009 Rates	2010 Rates	2011 Rates
Project Manager	\$124.16	\$128.51	\$133.00	\$137.66
Sr. Specialist/ Programmer/ Planner	\$108.85	\$112.66	\$116.60	\$120.68
Graphic Artist/ Computer Designer	\$62.08	\$64.25	\$66.50	\$68.83
Draftsman/ Technician	\$31.50	\$32.60	\$33.74	\$34.92

A Principal rate of \$152.40 is used where a limited amount of involvement by the Company's principals is required for professional and business interactions with clients.

RICONDO & ASSOCIATES, INC.

TITLE	RATE PER HOUR
Officer	\$264
Director	\$229
Managing Consultant	\$194
Senior Consultant	\$159
Consultant	\$118
Tech Specialist/Support	\$106

FLIGHT ENGINEERING, INC.

TITLE	RATE PER HOUR
Principal Consultant	\$225.00
Sr. Aircraft Performance Engineer	\$225.00
Sr. Software Engineer	\$80.00
Airport Data Analyst	\$28.00
Clerical/Administrative Assistant	\$16.50