

**REINSTATEMENT AND SECOND AMENDMENT TO
CONSULTANT SERVICES AGREEMENT
BETWEEN THE CITY OF SUNNYVALE AND WOOD RODGERS, INC.
FOR ON-CALL ENGINEERING, DESIGN, AND CONSTRUCTION SUPPORT
SERVICES FOR PAVEMENT REHABILITATION**

This Reinstatement and Second Amendment to Consultant Services Agreement, dated _____, and retroactively effective to January 1, 2025, is by and between the CITY OF SUNNYVALE, a California chartered municipal corporation ("CITY"), and Wood Rodgers, Inc, a California corporation ("CONSULTANT").

WHEREAS, the CITY and CONSULTANT entered into a Consultant Services Agreement on April 1, 2021, whereby CONSULTANT would provide on-call engineering, design, and construction support services for pavement rehabilitation ("Agreement"); and

WHEREAS, on September 5, 2023, the CITY and CONSULTANT entered into a Reinstatement and First Amendment to Consultant Services Agreement whereby the term of the Agreement was extended to December 31, 2024; and

WHEREAS, the Agreement expired on December 31, 2024, and the Parties now desire to reinstate said Agreement retroactively effective to January 1, 2025, and extend the term of the Agreement to May 10, 2025; and

WHEREAS, the CITY and CONSULTANT now agree that a Reinstatement and Second Amendment to said Agreement is advisable;

NOW, THEREFORE, THE CITY AND CONSULTANT ENTER INTO THIS REINSTATEMENT AND SECOND AMENDMENT TO CONSULTANT SERVICES AGREEMENT:

1. The Agreement is hereby reinstated in its entirety and retroactively applied as of January 1, 2025, except as amended herein below.

2. Section 3 of the Agreement entitled "Time for Performance" is hereby amended to read as follows:

3. Time for Performance

The term of this Agreement shall be from May 11, 2021, through May 10, 2025, unless otherwise terminated. CONSULTANT shall deliver the agreed upon services to CITY as specified in Exhibit "A". Extensions of time may be granted by the City Manager upon a showing of good cause.

3. All other terms and conditions remain unchanged and are in effect.

IN WITNESS WHEREOF, the parties have executed this Reinstatement and Second Amendment to the Agreement.

CITY OF SUNNYVALE ("CITY")

WOOD RODGERS, INC. ("CONSULTANT")

By _____
City Manager

By _____

Name and Title

ATTEST:

By _____
City Clerk

By _____

Name and Title

APPROVED AS TO FORM:

By _____
City Attorney