

**City and County of San Francisco  
San Francisco Public Utilities Commission  
525 Golden Gate Avenue  
San Francisco, California 94102**

**Fourth Amendment**

**PRO.0101  
Tunnel Engineering Services for the  
Folsom Area Stormwater Improvement Project**

THIS AMENDMENT (this “Amendment”) is made as of April 11, 2023, in San Francisco, California, by and between **McMillen Jacobs Associates/Stantec, Joint Venture** (“Contractor”), and the City and County of San Francisco, a municipal corporation (“City”).

**Recitals**

WHEREAS, City and Contractor have entered into the Agreement (as defined below); and

WHEREAS, City and Contractor desire to modify the Agreement on the terms and conditions set forth herein to extend the performance period with no change to the contract amount; and

WHEREAS, On March 26, 2018, the City competitively procured the Agreement in accordance with San Francisco Administrative Code Section 6.40 through a Request for Proposals, and this Amendment is consistent therewith; and

WHEREAS, On April 3, 2023, the SFPUC obtained approval for this Amendment from the Civil Service Commission under PSC number 49868-17/18 in the amount of \$16,700,000 for the period of nine years and 26 weeks ; and

WHEREAS, On April 11, 2023, the City’s Public Utilities Commission approved this Amendment by Resolution No. 23-0069.

NOW, THEREFORE, Contractor and the City agree as follows:

**Article 1 Definitions**

The following definitions shall apply to this Amendment:

1.1 **Agreement.** The term “Agreement” shall mean the Agreement dated October 17, 2018 between Contractor and City, as amended by the:

|                   |                              |
|-------------------|------------------------------|
| First Amendment,  | dated May 11, 2020;          |
| Second Amendment, | dated September 1, 2020; and |
| Third Amendment,  | dated September 22, 2021.    |

1.2 **Other Terms.** Terms used and not defined in this Amendment shall have the meanings assigned to such terms in the Agreement.

## **Article 2 Modifications of Scope to the Agreement**

The Agreement is hereby modified as follows:

2.1 **Term of the Agreement.** *Section 2.1 of the Agreement currently reads as follows:*

2.1 The term of this Agreement shall commence on the later of: (i) November 1, 2018; or (ii) the Effective Date and expire on May 31, 2023, unless earlier terminated as otherwise provided herein.

**Such section is hereby amended in its entirety to read as follows:**

2.1 The term of this Agreement shall commence on the later of: (i) November 1, 2018; or (ii) the Effective Date and expire on November 30, 2023, unless earlier terminated as otherwise provided herein.

## **Article 3 Reserved (Updates of Standard Terms to the Agreement)**

### **Article 4 Effective Date**

Each of the modifications set forth in Articles 2 and 3 shall be effective on and after the date of this Amendment.

### **Article 5 Legal Effect**

Except as expressly modified by this Amendment, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, Contractor and City have executed this Amendment as of the date first referenced above.

CITY

CONTRACTOR

McMillen Jacobs Associates/Stantec, Joint Venture

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San Francisco Public Utilities Commission

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