

FIRST AMENDMENT
to Agreement between the a
City of Chula Vista
and
Terris Barnes Walters Boigon Heath, Inc.
For Voter Survey and Feasibility Study

This FIRST AMENDMENT “Amendment” is entered into effective as of January 16, 2018 “Effective Date” by and between the City of Chula Vista (“City”) and Terris Barnes Walters Boigon Heath, Inc. “Consultant” with reference to the following facts:

RECITALS

WHEREAS, City and Consultant previously entered into a 18-0017 - Agreement Amendment(the “Original Agreement”) on October 6, 2017; and

WHEREAS, City and Consultant desire to amend the Original Agreement to expand the scope of work to include an additional voter survey and feasibility study services, regarding the possibility of having two tax measures on the June 2018 ballot as more specifically set forth below.

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NOW, THEREFORE, in consideration of the above recitals and the mutual obligations of the parties set forth herein, City and Consultant agree as follows:

1. Exhibit A to the Original Agreement is amended as follows:
 - a. Section 1.B., “Consultant Contract Administration:” Insert “Jared Boigon” as the first line of the section.
 - b. Section 2.A. “General Description:” Add the following at the end of the section: “Consultant will conduct a Voter Survey and Feasibility Study regarding the possibility of having two tax measures on the June 2018 ballot.”
 - c. Section 2.B., “Detailed Description:”
 - i. Add the following as the first line of the section: “Consultant shall:”
 - ii. Add the following as item “4.” at the end of the section:
“Develop and conduct a Voter Survey and Feasibility Study regarding the possibility of having two tax measures on the June 2018 ballot; Conduct analysis and prepare report on survey results; Present survey results at a City Council Meeting in February 2018; provide recommendations for communications and public outreach, per the following schedule: ”

Description	Deliverables	Completion Date
Questionnaire draft & finalize	Provide draft survey for review and comment	January 18, 2018
Program, language translation, & testing	Programmed survey	January 24, 2018
Survey fielding	Survey fielding	February 2, 2018
Draft Report	Draft Report	February 9, 2018
Present analysis and survey results at Chula Vista City Council Meeting	Final Report Presentation	February 13, 2018
Provide recommendations for communications and public outreach regarding potential tax measure(s)	Participation in meetings; prepare communications materials	Ongoing

- d. Section 3, “Term:” Replace “2018” with “2019.”
 - e. Section 4.A., “Form of Compensation:” Replace “Thirty-Five Thousand Dollars (\$35,000)” with Seventy Thousand Dollars (\$70,000).”
 - f. Section 4, “Compensation:” Replace the last sentence of the section with the following: “Except as provided in Section 5., below, the maximum amount to be paid to the Consultant for services performed through June 30, 2019 shall not exceed \$70,000.”
 - g. Section 5, “Special Provisions:” Replace the final paragraph in this section with the following: “Notwithstanding the completion date set forth in Section 3 above, City has the option to extend this Agreement for one, one-year term. The City Manager or Director of Finance/Treasurer is authorized to exercise the extension on behalf of the City. If the City exercises its option to extend, the extension shall be on the same terms and conditions contained herein, and the City Manager is authorized to approve additional compensation for the extension, within his purchasing authority.”
2. Exhibit C to the Original Agreement is amended as follows: Replace “Enter City Staff Person’s Name” with “Victor De La Cruz.”
 3. Except as expressly provided herein, all other terms and conditions of the Original Agreement shall remain in full force and effect.
 4. Each party represents that it has full right, power and authority to execute this FIRST Amendment and to perform its obligations hereunder, without the need for any further action under its governing instruments, and the parties executing this Amendment on the behalf of such party are duly authorized agents with authority to do so.

**SIGNATURE PAGE TO FIRST
AMENDMENT
TO
18-0017 - AGREEMENT AMENDMENT**

TERRIS BARNES WALTERS BOIGON CITY OF CHULA VISTA

BY: _____ JARED BOIGON PARTNER	BY: _____ MARY CASILLAS SALAS MAYOR
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ATTEST:

BY: _____
KERRY K. BIGELOW, MMC
CITY CLERK

APPROVED AS TO FORM:

BY: _____
GLEN R. GOOGINS
CITY ATTORNEY