

(2)
Attachment D to Agenda File No. 2022-0132

**AMENDMENT NO. 2 TO AGREEMENT BETWEEN
SAN DIEGO UNIFIED PORT DISTRICT
and
SCHMIDT DESIGN GROUP, INC.
for
AS NEEDED LANDSCAPE ARCHITECTURE
AGREEMENT NO. 194-2016AC**

The parties to this Amendment No. 2 to Agreement are the SAN DIEGO UNIFIED PORT DISTRICT, a public corporation (District) and SCHMIDT DESIGN GROUP, INC., a California Corporation (Service Provider).

Recitals:

District and Service Provider are parties to an Agreement for As Needed Landscape Architecture. The Agreement is on file in the Office of the District Clerk as Document No. 66005 dated January 11, 2017, and as amended by Amendment No. 1, Document No. 69085 dated November 21, 2018. It is now proposed to extend the Agreement from December 12, 2021, to December 12, 2022.

The Parties Agree:

1. The **TERM OF AGREEMENT**, Section 2, is hereby extended to December 12, 2022, subject to earlier termination as provided in the Agreement.

*****END OF PAGE*****

- 2. All other Agreement terms, covenants, and conditions shall remain in full force and effect and shall be applicable to this Amendment.

SAN DIEGO UNIFIED PORT DISTRICT

SCHMIDT DESIGN GROUP, INC.

Ernesto Medina

JT Barr

Ernesto Medina
Chief Engineer, Engineering – Construction

JT Barr
PLA, ASLA/Principal

Approved as to form and legality:
GENERAL COUNSEL

David Jones

By: Assistant/Deputy

A manually signed copy of this Amendment transmitted by email or any other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Amendment.

(5)

Reference Copy
73229 DocuSign®**Certificate Of Completion**

Envelope Id: 3688F1A346C54EC0AC6C5073BD5739CE	Status: Completed
Subject: Please DocuSign: Amendment No. 2 to Agreement No. 194-2016AC with Schmidt Design Group, Inc..pd...	
Source Envelope:	
Document Pages: 2	Signatures: 3
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Jocelyne R. Rodriguez
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	3165 Pacific Highway
	San Diego, CA 92101
	jrodriguez@portofsandiego.org
	IP Address: 207.215.153.162

Record Tracking

Status: Original	Holder: Jocelyne R. Rodriguez	Location: DocuSign
10/11/2021 2:51:05 PM	jrodriguez@portofsandiego.org	
Security Appliance Status: Connected	Pool: StateLocal	
Storage Appliance Status: Connected	Pool: San Diego Unified Port District	Location: DocuSign

Signer Events

Signer Events	Signature	Timestamp
JT Barr	<i>JT Barr</i>	Sent: 10/11/2021 3:00:00 PM
JTBarr@schmidt-design.com		Viewed: 10/11/2021 8:19:53 PM
Vice President		Signed: 10/11/2021 8:20:17 PM
Security Level: Email, Account Authentication (None)	Signature Adoption: Pre-selected Style	
	Using IP Address: 75.25.163.153	

Electronic Record and Signature Disclosure:

Accepted: 10/11/2021 8:19:53 PM
ID: d5a89c15-4af9-492d-a8b3-79b4f445cd2b
Company Name: San Diego Unified Port District

David Jones	<i>David Jones</i>	Sent: 10/11/2021 8:20:18 PM
dajones@portofsandiego.org		Viewed: 10/12/2021 11:28:46 AM
Deputy General Counsel		Signed: 10/12/2021 11:28:53 AM
Security Level: Email, Account Authentication (None)	Signature Adoption: Pre-selected Style	
	Using IP Address: 207.215.153.162	

Electronic Record and Signature Disclosure:

Accepted: 10/13/2021 7:15:40 AM
ID: 2cf36bba-8877-41f2-b389-3f2e64142df3
Company Name: San Diego Unified Port District

Ernesto Medina	<i>Ernesto Medina</i>	Sent: 10/12/2021 11:28:54 AM
emedina@portofsandiego.org		Viewed: 10/12/2021 12:40:45 PM
Chief Engineer		Signed: 10/12/2021 12:40:53 PM
Security Level: Email, Account Authentication (None)	Signature Adoption: Pre-selected Style	
	Using IP Address: 207.215.153.162	

Electronic Record and Signature Disclosure:

Accepted: 4/29/2021 9:05:23 AM
ID: 4c6c9739-9139-4f52-9bf9-1e0ca0b0e697
Company Name: San Diego Unified Port District

Signer Events	Signature	Timestamp
Gabby Livingston glivingston@portofsandiego.org Document Management Associate-ODC Port of San Diego Signing Group: ODCDocuSign Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	Completed Using IP Address: 207.215.153.162	Sent: 10/12/2021 12:40:56 PM Viewed: 10/13/2021 1:39:59 PM Signed: 10/13/2021 1:45:30 PM
In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Shelly Hart srhart@portofsandiego.org Executive Assistant I-Engineering & Construction San Diego Unified Port District Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	<div style="border: 2px solid blue; padding: 5px; text-align: center; color: blue; font-weight: bold; font-size: 1.2em;">COPIED</div>	Sent: 10/13/2021 1:45:31 PM
DocuSign Core Notify Group DocuSign_Core_Notify@portofsandiego.org Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	<div style="border: 2px solid blue; padding: 5px; text-align: center; color: blue; font-weight: bold; font-size: 1.2em;">COPIED</div>	Sent: 10/13/2021 1:45:31 PM
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	10/11/2021 3:00:00 PM
Certified Delivered	Security Checked	10/13/2021 1:39:59 PM
Signing Complete	Security Checked	10/13/2021 1:45:30 PM
Completed	Security Checked	10/13/2021 1:45:31 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact San Diego Unified Port District:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: rsanagus@portofsandiego.org

To advise San Diego Unified Port District of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at rsanagus@portofsandiego.org and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from San Diego Unified Port District

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to rsanagus@portofsandiego.org and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with San Diego Unified Port District

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to rsanagus@portofsandiego.org and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

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- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify San Diego Unified Port District as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by San Diego Unified Port District during the course of your relationship with San Diego Unified Port District.