

**AMENDMENT NO. 1 TO AGREEMENT BETWEEN
SAN DIEGO UNIFIED PORT DISTRICT
and
FMF PANDION
for
AS-NEEDED STORMWATER MANAGEMENT SERVICES
AGREEMENT NO. 287-2017MA**

The parties to this Amendment No. 1 to Agreement are the SAN DIEGO UNIFIED PORT DISTRICT, a Public Corporation (District) and FMF PANDION, a California Corporation (Service Provider).

Recitals:

District and Service Provider are parties to an Agreement for As-Needed Stormwater Management Services. The agreement is on file in the Office of the District Clerk as Document No. 67697 dated January 22, 2018. It is now proposed to extend the agreement from June 30, 2021, to June 30, 2022, to increase the aggregate agreement amount by \$750,000 from a total of \$750,000 to \$1,500,000, and to amend Attachment B, Compensation & Invoicing.

The Parties Agree:

1. Section 2. **TERM OF AGREEMENT**, is hereby extended and shall terminate on June 30, 2022.
2. Section 3.a. **Maximum Expenditure**, is hereby amended to increase the aggregate amount by \$750,000 from a total of \$750,000 to a new, not to exceed, total amount of \$1,500,000.
3. **ATTACHMENT B, COMPENSATION & INVOICING**, Section 1.a. (2) shall be expanded to include the following:
 - (c) **Escalation:** Fully Burdened Hourly Billing Rates shall be increased at a rate of 3% per year as follows:

- i. Effective July 1, 2020 through June 30, 2021: 3% escalation
 - ii. Effective July 1, 2021 through June 30, 2022: 3% escalation
4. All other terms, covenants, and conditions in the original Agreement shall remain in full force and effect and shall be applicable to this Amendment.

SAN DIEGO UNIFIED PORT DISTRICT

FMF PANDION

Karen Holman
Director, Environmental Protection



Tommy Wells
Principal Scientist/Owner

Approved as to form and legality:
GENERAL COUNSEL

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.