

AMENDMENT NO. 1

1. Parties. The parties to this Contract Amendment are the City of Hercules, a public body corporate and the following named Contractor:

**David L. Gates and Associates, Inc.
dba Gates + Associates; Gates-Studio
1655 N. Main Street, Ste. 365
Walnut Creek, CA 94596
Attn: Chuck Gardella
Phone: 925-360-8411
Email: chuck@gates-studio.com**

The parties to this Contract Amendment do mutually agree and promise as follows:

2. Purpose. This Amendment No. 1 is being entered into to amend an existing contract between the City and Contractor which was approved by the City Council of the City of Hercules on January 23, 2024 by Resolution No 23-003. Said contract shall hereinafter be referred to as the "Original Contract" and is incorporated herein by reference.

3. Original Contract Provisions. The parties hereto agree to continue to abide by those terms and conditions of the Original Contract, and any amendments thereto, which are unaffected by this Contract Amendment Agreement.

4. Amendment. This Amendment No. 1 is intended to amend the Original Contract and previously approved amendments (collectively, the "Amended Contract") thereto to provide for additional compensation in an amount not to exceed \$13,743, total contract amount \$90,193.

5. Amendment Approval: This Amendment No. 1 is hereby approved by the City Council of the City of Hercules on this 23rd day of September, 2025.

6. Signatures. These signatures attest the parties' agreement hereto:

City of Hercules

s/ _____
Dante Hall, City Manager

Date: _____

Approved as to form:

By _____
Christie Crawl, City Attorney

Contractor:

s/ _____

Name/Title

Date: _____

s/ _____

Name/Title

Date: _____

Attachments:

Attachment A: Scope of Service

Attachment B: Payment

Attachment A
SCOPE OF SERVICES
City of Hercules
Amendment No. 1 to Contract 24-003-CM for
Refugio Valley Park Picnic Area Improvements

Amendment No. 1 Scope of Services

The project shall involve providing power for retrofit irrigation equipment to allow for wireless control. New equipment shall be connected to an existing receptacle circuit on site or back to the closest panelboard.

Gates + Associates

- Provide additional project management and administration fee.
- Coordinate and manage direct purchase of Shade Structure between Vendor and City of Hercules
- Coordinate and manage submittals and documentation required for Building Permit
- Ross Recreation to prepare Engineering documents, Details, and Structural calculations

Atium Engineering

- Atium to provide 90% and 100% Electrical Engineering Plans and Specifications coordinated with landscape architect drawings. This would include providing power to new irrigation equipment at the existing restroom, valves, and flow sensor. Provide updated panel schedule and Power title 24 compliance forms.
- Attend site visit with City staff to review existing electrical systems
- Respond to Pre-Bid RFIs. Review substitution requests. Provide RFI responses.
- Construction Administration: Provide Submittal reviews, provide sketches/ASIs for change necessary, revise device layouts during construction due to furniture changes.

Attachment B
PAYMENT
City of Hercules
Amendment No. 1 to Contract 24-003-CM for
Refugio Valley Park Picnic Area Improvements

Payment

PRIME CONSULTANT (Gates) FEE	\$7,000
SUBCONSULTANT (Atium) FEE	\$5,000
ENGINEERING FEE (Ross Recreation)	\$1,130
Subconsultant Subtotal	\$6,130
SUBCONSULTANT MARKUP (10%)	\$613
AMOUNT OF CHANGE ORDER #1:	\$13,743
AMOUNT OF ORIGINAL CONTRACT:	\$76,450
REVISED TOTAL CONTRACT:	\$90,193