

**TASK ORDER AGREEMENT
SUPERVISORY CONTROL & DATA ACQUISITION (SCADA)
WATER POLLUTION CONTROL FACILITY (WPCF)**

THIS MODIFICATION No. 1 is being entered into this _____ day of _____, 2011, by and between the CITY OF LAS VEGAS (hereinafter the "City"), a municipal corporation within the State of Nevada having its principal office at 400 Stewart Avenue, Las Vegas, Nevada 89101, and Wunderlich-Malec Engineering, Inc. (hereinafter the "Company") having its principal office located at 5501 Feltl Road, Minnetonka, MN 55343.

The purpose of this modification is to add Contract Value of Three Million Three Hundred Sixty Thousand Dollars (\$3,360,000), which increases the original Contract funding by Eight Hundred Sixty Thousand Dollars (\$860,000) and to further clarify the procedure for issuing task orders.

The Contract between the City and the Company dated January 20, 2010 is hereby modified as follows:

1. B-2 Contract Type

DELETE: B-2 Contract Type in its entirety

INSERT:

B-2 Contract Type and Value

This Contract provides for the issuance of Task Orders for Control System Integration and Support Services. Each Task Order issued will provide for payment of Labor Hours worked and if necessary, travel expenses incurred at a Firm Fixed Price per Labor Hour pursuant to Paragraph B-3 "Prices/Costs".

The aggregate amount of the Task Orders issued by City under this Contract shall not exceed the amount of Three Million Three Hundred Sixty Thousand Dollars (\$3,360,000). The City is not obligated to issue any Task Order nor is the Company entitled to any claim for compensation per paragraph B-3 "Price/Costs," until a Task Order is issued by the City.

This is a Non-Exclusive Contract.

2. B-3 Prices/Costs

Delete: B-3 (b) in its entirety

INSERT:

- (b) Individual task orders will be issued by the City's Project Manager on an as needed basis and billed at the hourly rates shown above in accordance with the procedure as set forth in "D-7 Task Orders".

The Fixed Price Labor Rates are firm until January 20, 2012. Thirty (30) days prior to the expiration of the Contract period, the Company may submit a proposal to the City to revise the rates. In the event of an increase, the Company must provide the City with a written request and suitable justification before the price increase would become effective. Any increase shall not exceed three percent (3%) annually.

3. D-7 Task Orders

INSERT:

D-7 Task Orders

Each Task Order will be issued through the following procedure:

- (a) **Service Proposal** – The City will request a proposal for a specific Task Order and will provide the following information pertinent to the task:

- (i) Proposal instructions
- (ii) A statement of work
- (iii) A description of expected deliverables
- (iv) A completion date
- (V) Other special terms and conditions

The Company will respond with a proposal based on the labor rates defined in B-3 “Prices/Costs” and in the format provided in Attachment 2 “Task Order Procedures”. . The proposal will be subject to negotiation.

- (b) **Task Order Required Information** – The City will evaluate each Task Order proposal. The City is under no obligation to award a Task Order. Each Task Order issued by the City will contain the following information and will be funded through a corresponding purchase order:

- (i) Order date
- (ii) Contract number and task order number
- (iii) Purchase Order Number
- (iii) Statement of Work and Deliverables
- (iv) Period of performance, place of performance and delivery schedule
- (v) A Not to Exceed Amount

- (c) **Authorization for work to begin** – After the Task Order has completed the four steps as outlined in Attachment No. 2 “Task Order Procedures” a purchase order will be issued to authorize work to begin on an approved Task Order.

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IN WITNESS WHEREOF, the parties hereto have caused this Modification No. 1 to be executed by their duly authorized representatives.

CITY OF LAS VEGAS

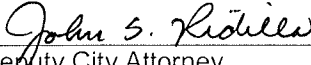
KATHLEEN C. RAINEY, Manager
Purchasing and Contracts

"City"

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

 12/1/11

Deputy City Attorney Date
John S. Ridilla
Deputy City Attorney

WUNDERLICH-MALEC ENGINEERING, INC

NEAL K. WUNDERLICH, President

"Company"