

Modification One to SAA2-402531

REIMBURSABLE SPACE ACT AGREEMENT
BETWEEN
THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
AMES RESEARCH CENTER
AND
THE CITY OF SAN JOSE
FOR
UTILIZATION OF MOFFETT FEDERAL AIRFIELD FOR
ENFORCEMENT AND EMERGENCY RESPONSE CAPABILITIES

The City of San Jose (hereinafter referred to as "Partner") and the National Aeronautics and Space Administration (hereinafter referred to as "NASA") executed a Reimbursable Space Act Agreement (hereinafter referred to as the "Original Agreement") bearing an effective date of October 15, 2009 for the purpose of Utilization of Moffett Federal Airfield for Enforcement and Emergency Response Capabilities by the San Jose Police Department. Each capitalized term used in this Modification, but not defined herein, shall have the meaning ascribed to it in the Original Agreement.

Pursuant to Article 12 of the Original Agreement, Partner duly requested to extend the term of the Original Agreement. Effective as of the date of the last signature below, the Parties desire to amend the Original Agreement by deleting Article 12 of the Original Agreement and restating it in its entirety as follows:

"This Agreement becomes effective upon the date of the last signature below and shall remain in effect until the completion of all obligations of both Parties hereto, or September 30, 2011, whichever comes first."

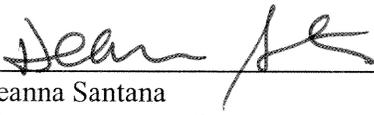
The Parties also desire to update the current estimate of costs to be incurred by Partner during NASA's fiscal year 2011. Accordingly, paragraph 1 of Article 4 of the Original Agreement is amended by deleting the first sentence thereof and restating it in its entirety as follows:

"Partner agrees to reimburse NASA an estimated annual cost (based on fiscal year 2011 rates) of \$83,284 (\$13,202 for support services related to the use of the space and \$70,082 related to fuel costs) for NASA to carry out its responsibilities under this Agreement."

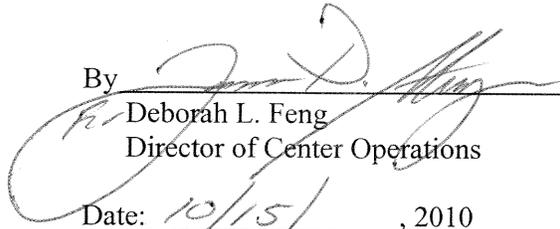
Except as set forth in this Modification, the provisions of the Original Agreement remain in full force. If the provisions of this Modification conflict with the provisions of the Original Agreement, then the provisions of this Modification shall prevail.

THE CITY OF SAN JOSE

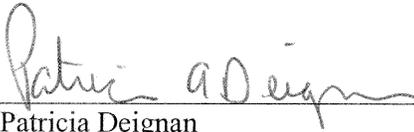
NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION

By 
Deanna Santana
City Managers Office

Date: 10/12/10, 2010
Approved as to Form:

By 
Deborah L. Feng
Director of Center Operations

Date: 10/15/, 2010

By 
Patricia Deignan
Chief Deputy City Attorney