

## **AMENDMENT NO. 1 TO FACILITY AND PARK LANDSCAPE MAINTENANCE SERVICES AGREEMENT**

THIS AMENDMENT is made and entered into this 21st day of June 2022, by and between the City of Yorba Linda, 4845 Casa Loma Avenue, Yorba Linda, California 92886, a municipal corporation of the State of California (hereinafter referred to as "City"), and Artistic Maintenance Services, Inc. (hereinafter referred to as "Contractor") (collectively, the "Parties").

### **WITNESSETH:**

WHEREAS, the City and the Contractor entered into an Agreement for facility and park landscape maintenance services in the amount of \$422,013.24, for the term July 1, 2019 through June 30, 2022; and

WHEREAS, the City and the Contractor entered into Change Order No. 1 increasing the total compensation set forth in Section 3.3.1 of the Agreement by two hundred fourteen thousand eight hundred sixty five dollars (\$214,865), additionally the City and the Contractor entered into Change Order No. 2 increasing the total compensation by seventy thousand two hundred sixty eight dollars and thirty seven cents (\$70,268.37) increasing the total compensation to seven hundred seven thousand one hundred forty six dollars and sixty one cents (\$707,146.61) for the remainder of the initial three year time period of the Agreement; and

WHEREAS, the Agreement allows to renew the agreement for no more than two (2) additional one-year extensions; and

NOW, THEREFORE, in consideration of the mutual promises and covenants herein, the Parties agree to extend and amend the Agreement as follows:

1. The Term specified in Amendment No. 1 shall be extended the agreement to June 30, 2023.
2. The total compensation for services pursuant to this Amendment No. 1 shall be increased by an amount of **Two Hundred Fifty Eight Thousand Nine Hundred Eighty Four Dollars and Ninety Four Cents (\$258,984.94)**, increasing the total not to exceed Agreement compensation to **Nine Hundred Sixty Six Thousand One Hundred Thirty One Dollars and Fifty Three Cents (\$966,131.53) from July 1, 2019, to June 30, 2023**, unless otherwise approved in writing by the City.
3. Except as amended pursuant to this Amendment No. 1, all provisions of the Agreement shall remain in full force and effect, and shall govern the services provided under this Amendment No.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties have executed and entered into this Amendment to the Agreement.

**CITY OF YORBA LINDA**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
CARLOS RODRIGUEZ  
MAYOR

ATTEST:

By: \_\_\_\_\_  
DIANNA HONEYWELL  
FINANCE DIRECTOR

**ARTISTIC MAINTENANCE SERVICES, INC.**

\_\_\_\_\_  
Marcia Brown  
City Clerk

APPROVED AS TO FORM:  
RUTAN & TUCKER LLP

By: \_\_\_\_\_  
(Print)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Todd Litfin  
City Attorney

Title: \_\_\_\_\_

Dated: \_\_\_\_\_