

AMENDMENT NO. 1 TO PARK TURF AND 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 Merchants Landscape Services, Inc. (hereinafter referred to as "Contractor") (collectively, the "Parties").

WITNESSETH:

WHEREAS, the City and the Contractor entered into an Agreement for park turf and landscape maintenance services in the amount of \$475,092.00, for the term July 1, 2018 through June 30, 2021; 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 eighty three thousand three hundred seventy five dollars (\$83,375.00), additionally the City and the Contractor entered into Change Order No. 2 increasing the total compensation by two hundred one thousand eight hundred sixty four dollars (\$201,864.00) increasing the total compensation to seven hundred sixty thousand three hundred thirty one dollars (\$760,331.00) for the initial three year time period and the first of the additional one-year term extensions 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 One Thousand Eight Hundred Sixty Four Dollars (\$201,864.00)**, increasing the total not to exceed Agreement compensation to **Nine Hundred Sixty Two Thousand One Hundred Ninety Five Dollars (\$962,195.00) 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

MERCHANTS LANDSCAPE SERVICES, INC.

Marcia Brown
City Clerk

APPROVED AS TO FORM:
RUTAN & TUCKER LLP

By: _____
(Print)

(Signature)

Todd Litfin
City Attorney

Title: _____

Dated: _____