

**AMENDMENT NO. 5 TO NON-PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF SAN LEANDRO AND RUBICON LANDSCAPE CORPORATION
FOR
CITYWIDE TURF MAINTENANCE**

This **Amendment No. 5** ("Amendment") is made by and between the City of San Leandro ("City") and Rubicon Landscape Corporation ("Contractor") (together sometimes referred to as the "Parties") as of July 1, 2021 and amends that certain Non-Professional Services Agreement ("Agreement") dated March 1 2016, between the Parties.

WHEREAS, City and Contractor have executed the Agreement, pursuant to which Contractor has provided certain services to City with regard to turf maintenance; and

WHEREAS, the Parties desire to amend the Agreement to extend the term for one year and increase the service price by 3.8%.

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Agreement as follows:

1. Section 1.1 of the Agreement entitled "Term of Services" is hereby amended to extend the term from July 1, 2021, to June 30, 2022; and
2. Section 2 of the Agreement entitled "Compensation" is hereby amended to pay Contractor a sum not to exceed \$13,755.18 per month for a total of \$165,062.18 for fiscal year 2021-2022; and
3. Exhibit A of the Agreement entitled "Scope of Services" is hereby amended to reduce services as follows:
 - Discontinue weed abatement services along the unpaved trail at Marina Park
 - Discontinue weed abatement services along the Par Course at Marina Park
 - Reduce mowing services at Marina Park to two times per month
 - Discontinue mowing services along the William Street Island
 - Discontinue mowing services at Warden Park
4. Exhibit B of the Agreement entitled "Compensation Schedule" is hereby amended as attached; and
5. All other terms shall remain in full force and effect as outlined in Attachment A.

This Amendment may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

SIGNATURES ON FOLLOWING PAGE

The Parties have executed this Amendment as of the date first written above. The persons whose signatures appear below certify that they are authorized to sign on behalf of the respective Party.

CITY OF SAN LEANDRO

RUBICON LANDSCAPE CORPORATION

DocuSigned by:
Fran Robustelli
C005C023AF024E3...
Frances Robustelli, City Manager

DocuSigned by:
Nancy Emery
E735649044BD424...
Nancy Emery, Vice President of Landscape

Attest:

1000060936
Contractor DIR Registration Number

DocuSigned by:
Leticia I. Miguel
575DDE0FDA5642B...
Leticia I. Miguel, City Clerk



SEAL

Budget Approved:

Approved as to Fiscal Authority:

DocuSigned by:
Susan Hsieh
838644B85C6E48C...
Susan Hsieh, Finance Director

010-62-001-5340
Account Number

Approved as to Form:

DocuSigned by:
Richard Pio Roda
7B41538E6D5E470...
Richard D. Pio Roda, City Attorney

DocuSigned by:
Debbie Pollart
70AB70F08F06400...
Debbie Pollart, Public Works Director
Department Head's Signature

ATTACHMENT A

Contract/Amendment	Effective Date	Description
NPSA for Turf Maintenance Services	March 1, 2016	Turf Maintenance services at City Parks as outlined in Exhibit A – Scope of Services. Cost for FY 2016: \$10,934 per month (3 months) Cost for FY2017: \$11,284 per month Expired June,30, 2017 Council Resolution 2016-023
Amendment No. 1	July 1, 2017	Extend Term for one year with a CPI increase of 3% Discontinue services at Pacific Sports Complex Cost for FY2018: \$10,847.30 per month Expired June 30, 2018 Council Resolution 2017-117 - allows for three additional 1-year extensions
Amendment No. 2	July 1, 2018	Extend Term for one year with a CPI increase of 3.2% Name Change to Rubicon Landscape Corporation Cost for FY2019: \$11,194.41 per month Expired June 30, 2019
Amendment No. 3	July 1, 2019	Extend Term for one year with a CPI increase of 3.87% Update Insurance Requirements Add weed abatement services at Marina Park (unpaved path) Add Turf Maintenance at Floresta Park Remove Turf Maintenance at McCartney Park Cost for FY2020: \$12,143.43 per month Expired June 30, 2020
Amendment No. 4	July 1, 2020	Extend Term for one year with a CPI increase of 3.31% Add Turf Maintenance Services at Marina Park Cost for FY2021: \$14,375.37 per month Expires June 30, 2021
Amendment No. 5	July 1, 2021	Extend Term for one year with an increase of 3.8% Reduce services at Marina Park and Discontinue services at Warden Park and Williams Street Island Cost for FY2022: \$13,755.18 per month Expires June 30, 2022

Exhibit B
Compensation Schedule

Location	Mow (42 Weeks)	Edged (21 Weeks)	Weeds (2x)	Aeration (3x)	Fertilization (3x)	Total	Notes
Bonaire Park	\$ 8,159.68	\$ 923.74	\$ 100.19	\$ 465.53	\$ 465.53	\$ 10,114.67	
Chabot Park	\$ 2,771.21	\$ 282.25	\$ -	\$ 183.28	\$ 183.28	\$ 3,420.03	
Cherry Grove Park	\$ 3,335.72	\$ 282.25	\$ 100.19	\$ 439.87	\$ 439.87	\$ 4,597.91	
Tony B Santos Park	\$ 2,668.57	\$ 307.91	\$ 205.27	\$ 106.30	\$ 106.30	\$ 3,394.37	
Farrelly Pool	\$ 307.91	\$ 282.25	\$ 58.65	\$ 61.09	\$ 24.44	\$ 734.35	
Floresta Park						\$ 4,218.23	
Halcyon Park	\$ 8,467.59	\$ 821.10	\$ 58.65	\$ 557.17	\$ 557.17	\$ 10,461.69	
John Muir Soccer Field	\$ 6,363.52	\$ 590.17	\$ -	\$ 547.40	\$ 547.40	\$ 8,048.48	4x aeration/fertilization
Marina Park (Spraying Tree Wells)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 600.00	Spraying Tree Wells (3x Year)
Marina Park (Turf)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,000.00	Mow 2x per month (26 weeks)
Marina Park (Aeration/Fert)						\$ 10,000.00	Aeration / Fert (3x year)
Memorial Park	\$ 3,027.80	\$ 436.21	\$ -	\$ 183.28	\$ 155.79	\$ 3,803.08	
Par Course	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
San Leandro Ball Park	\$ 8,672.86	\$ 538.85	\$ 58.65	\$ 1,221.87	\$ 782.00	\$ 11,274.23	4x aeration/fertilization
San Leandro Family Aquatic Center	\$ 2,514.62	\$ 256.59	\$ -	\$ 91.64	\$ 91.64	\$ 2,954.49	
Siempre Verde Park	\$ 3,643.63	\$ 307.91	\$ -	\$ 252.93	\$ 252.93	\$ 4,457.40	
Stenzel Park	\$ 12,162.53	\$ 718.46	\$ 117.30	\$ 1,212.10	\$ 1,212.10	\$ 15,422.50	4x aeration/fertilization
Thrasher Park	\$ 5,080.55	\$ 538.85	\$ 117.30	\$ 391.00	\$ 391.00	\$ 6,518.70	4x aeration/fertilization
Toyon Park	\$ 5,645.06	\$ 307.91	\$ 41.54	\$ 293.25	\$ 293.25	\$ 6,581.01	
Washington ManorPark	\$ 16,729.90	\$ 1,744.84	\$ 41.54	\$ 1,429.59	\$ 1,429.59	\$ 21,375.47	*42 weeks edging
Williams Island	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Warden Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
						\$ 140,976.60	
Location	Mow (52 Weeks)	Edge (26 Weeks)	Weeds (2x)	Aeration (3x)	Fertilization (3x)	Total	Notes
Benedict	\$ 3,875.78	\$ 190.61	\$ 41.54	\$ 97.75	\$ 24.44	\$ 4,230.13	2x aeration/fertilization
Root	\$ 4,638.23	\$ 222.38	\$ 41.54	\$ 122.19	\$ 46.43	\$ 5,070.78	2x aeration/fertilization
Washington Mannor MS	\$ 13,025.18	\$ 349.46	\$ 41.54	\$ 684.25	\$ 684.25	\$ 14,784.68	4x aeration/fertilization
						\$ 24,085.58	
					Grand Total	\$ 165,062.18	
					Monthly Price	\$ 13,755.18	