

**AMENDMENT NO. 4 TO NON-PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF SAN LEANDRO AND
RUBICON LANDSCAPE CORPORATION
FOR
CITYWIDE TURF MAINTENANCE**

This **Amendment No. 4** (“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, 2020, 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 3.31%.

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, 2020, to June 30, 2021; and
2. Section 2 of the Agreement entitled “Compensation” is hereby amended to pay Contractor a sum not to exceed \$14,375.38 per month for a total of \$172,504.56 per year for fiscal year 2020-2021; and
3. Exhibit B of the Agreement entitled “Compensation Schedule & Reimbursable Expenses” is hereby amended to include:

Monthly Price	Annual Total	Area	Special Instructions
\$1,830.00	\$21,960.00	Marina Park	Turf Maintenance: 1) Weekly mowing, edging and trimming during growing season, as needed November to March 2) Herbicide treatment of tree wells 3 – 4 times annually, as needed 3) Removal of clippings as needed, maximum 3 times annually 4) Aerate and fertilize turf in accordance with existing specifications for City Wide Turf Maintenance 5) Excludes maintenance of trees and shrubs 6) Excludes irrigation

4. 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.

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

Jeff Kay, City Manager

Lourdes Haro, General Manager

Attest:

1000060936

Contractor DIR Registration Number

Leticia I. Miguel, City Clerk

Approved as to Fiscal Authority:

Elizabeth Warmerdam, Interim Finance Director

010-62-001-5340
Account Number

Approved as to Form:

Richard D. Pio Roda, City Attorney

(2018)

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