

**AMENDMENT NO. 1 TO NON-PROFESSIONAL SERVICES AGREEMENT BETWEEN  
THE CITY OF SAN LEANDRO AND  
PACHECO BROTHERS GARDENING, INC.  
FOR  
CITYWIDE LANDSCAPE MAINTENANCE**

This **Amendment No. 1** ("Amendment") is made by and between the City of San Leandro ("City") and Pacheco Brothers Gardening, Inc. ("Contractor") (together sometimes referred to as the "Parties") as of July 1, 2017, 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, increase the service price by 3% (CPI) and add additional planting services.

**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, 2017, to June 30, 2018; and
2. Section 2 of the Agreement entitled "Compensation" is hereby amended to pay Contractor a sum not to exceed \$13,077 per month for a total of \$156,924 per year plus an additional \$10,000 per year for planting landscapes for an annual total of 166,924; and
3. Exhibit B of the Agreement entitled "Compensation Schedule & Reimbursable Expenses" is hereby amended as attached.
4. All other terms shall remain in full force and effect.

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

Pacheco Brothers Gardening, Inc.

  
\_\_\_\_\_  
Chris Zapata, City Manager

  
\_\_\_\_\_  
Karl Pacheco, Operations Manager

Attest:

  
\_\_\_\_\_  
Tamika Greenwood, City Clerk

Approved as to Fiscal Authority:

  
\_\_\_\_\_  
David Baum, Finance Director

~~010-62-001-5340 (49%), 147-42-142 (26%), 597-57-003 (25%)~~  
\_\_\_\_\_  
Account Number

Approved as to Form:

  
\_\_\_\_\_  
Richard D. Pio Roda, City Attorney

(2015)

Exhibit B  
Compensation Schedule Reimbursable Expenses

Monthly Price	Annual Amount	Location/Description of Area	Special Instructions[1]
\$ 634.86	\$ 7,618.33	SL Hospital/Senior Center Shared Parking Lot and the Senior Center grounds and parking lot  E. 14 <sup>th</sup> Street and 139 <sup>th</sup>	The parking lots and the grounds are designed with bio-swales and shall be maintained using <i>Bay Friendly Guidelines</i> . Grasses are to be trimmed <u>and all trimmings removed</u> in November and again in May (if needed). Trash pick-up in the bio-swale is once per week. Leaf litter and trash on remainder of grounds picked up once per week. Pots shall contain perennials be trimmed 2x per year, as needed. All landscaping (outside of the bio-swales) maintained on a monthly basis and dead-headed and/or hand-trimmed as may be necessary to maintain a healthy plant environment. Grape vines along the southern fence trimmed once per year in Nov/Dec. Maintenance of plant material (ivy) growing on the north fence line is also included.
\$ 258.91	\$ 3,106.93	Former Comcast Building Western terminus of Marina Blvd	Maintenance work to be provided once per month.
\$ 155.35	\$ 1,864.16	Fire Station #9 450 Estudillo Avenue	Maintenance work to be provided once per month.
\$ 129.46	\$ 1,553.47	Fire Station #10 2194 Williams Street	Maintenance work to be provided once per month.
\$ 129.46	\$ 1,553.47	Fire Station #11 14903 Catalina Street	Maintenance work to be provided once per month.
\$ 129.46	\$ 1,553.47	Fire Station #12 1065 143rd Street	Maintenance work to be provided once per month.
\$ 77.67	\$ 932.08	Fire Station #13 637 Fargo Avenue	Maintenance work to be provided once per month.
\$ 77.67	\$ 932.08	Old Fire Station #10 2101 Marina Blvd.	Maintenance work to be provided once per month.

Exhibit B  
Compensation Schedule Reimbursable Expenses

Monthly Price	Annual Amount	Location/Description of Area	Special Instructions[1]
\$ 168.82	\$ 2,025.85	Manor Branch Library 241 Manor Blvd.	Maintenance work to be provided twice per month March-October and once per month all other months. Includes exterior courtyard at rear of building and sweeping out Dumpster
\$ 168.82	\$ 2,025.85	Mulford Branch Library 13699 Aurora Dr.	Maintenance work to be provided once per month.
\$ 168.82	\$ 2,025.85	South Branch Library 14799 E. 14 <sup>th</sup> St	Maintenance work to be provided once per month. Bottlebrush to be trimmed as needed.
\$ 3,236.39	\$ 38,836.67	Shoreline Area Maintenance	Maintenance work to be provided twice per month April-October and once per month November-March. Debris pickup in landscaped areas only. Trees to be trimmed as needed. (See Shoreline Area Landscape Maps #1-4).
\$ 2,200.74	\$ 26,408.93	Civic Center  835-999 E. 14 <sup>th</sup> Street	All turf and paved areas, including sidewalks, between Root Park and Peralta Avenue, between E. 14 <sup>th</sup> Street and Lafayette, includes parking lots (north and south) and landscaping. These areas are clean-up, mowing, turf edging, blowing, maintenance of shrubs, and includes weeding the large pots in the plaza (and trimming perennials back 1/year). Work must be done on Monday (mowing/edging/blowing) and Thursday (blowing, clean-up) of each week. During leaf drop months, leaves should be picked up twice per week.
\$ 517.82	\$ 6,213.87	Marina Community Center 15301 Wicks Blvd.	Maintenance work to be provided once per week. Includes all exterior landscaping (including the courtyard) and all paved areas.
\$ 388.37	\$ 4,660.40	Victoria Circle Both sides of Bancroft Ave	Maintenance work to be provided once per week.

Exhibit B  
Compensation Schedule Reimbursable Expenses

Monthly Price	Annual Amount	Location/Description of Area	Special Instructions[1]
\$ 3,417.63	\$ 41,011.52	Heron Bay Western terminus of Lewelling Blvd./Bayfront Drive	Maintenance of lawn area and shrubs around information kiosk to be provided once per week. (See Heron Bay Maps # 1-4).
\$ 258.91	\$ 3,106.93	Casa Peralta & History Museum 384 W. Estudillo Avenue	Maintenance of entire exterior/courtyard area to be provided once per week March-October and twice a month Nov.-Feb. Landscaping maintenance and trees on W. Estudillo in front of the Museum, west to San Leandro Blvd., on both sides of the street to be provided twice a month.
\$ 828.52	\$ 9,942.19	Main Library 300 Estudillo Avenue	Maintenance of entire exterior/courtyard area, including pots, on a weekly basis.
\$ 128.93	\$ 1,547.13	2139 Laura Ave	Mow lawn twice a month. Trim plants as needed but no less than quarterly.
<b>\$ 13,077</b>	<b>\$ 156,924</b>	<b>Total [2]</b>	

<sup>[1]</sup> Landscaped areas shall be maintained in accordance with the Operational Standards, with noted exceptions listed under Special Instructions.

[2] Monthly total is rounded up and then multiplied by 12 for an annual total.