

**AMENDMENT NO. 1 TO NON-PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF SAN LEANDRO AND
ARBORIST NOW, INC.
FOR
BOULEVARD YARWOOD SYCAMORE TREE TRIMMING**

This **Amendment No. 1** ("Amendment") is made by and between the City of San Leandro ("City") and Arborist Now, Inc. ("Contractor") (together sometimes referred to as the "Parties") as of June 1, 2020, and amends that certain Non-Professional Services Agreement ("Agreement") dated February 3, 2020, between the Parties.

WHEREAS, City and Contractor have executed the Agreement, pursuant to which Contractor has provided certain services to City with regard to trimming of boulevard Yarwood sycamore trees; and

WHEREAS, the Parties desire to amend the Agreement to extend the end term date (due to impacts from COVID-19 work restrictions), and to also include trimming of additional trees.

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 April 30, 2020, to September 30, 2020; and

2. Section 2 of the Agreement entitled "Compensation" is hereby amended to pay Contractor a sum not to exceed \$120,375; and

3. Exhibit A of the Agreement entitled "Scope of Services" is hereby amended to read:

6. WORKDAYS: All trimming is to be completed within one hundred and twenty (120) calendar days from award of contract. This is inclusive of all weather conditions that may occur during the 120 days.

Contractor to trim up to an additional 400 trees as follows: 300 trees on E. 14th Street; 25 trees on MacArthur Blvd.; 20 trees on Bancroft Avenue; 20 trees on Marina Blvd.; and 35 trees on Davis Street. Exact trees to be identified by City for Contractor prior to start of work.

4. Exhibit B of the Agreement entitled "Compensation Schedule & Reimbursable Expenses" is hereby amended to read:

\$125 per tree price; \$120,375 Grand Total

5. 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.

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

Arborist Now, Inc.

Jeff Kay, City Manager

Jean Claude Rochat, President

Attest:

Leticia I. Miguel, City Clerk

Approved as to Fiscal Authority:

Liz Warmerdam, Interim Finance Director and Asst. City Manager

010-33-001-5340

Account Number

Approved as to Form:

Richard D. Pio Roda, City Attorney