

**AMENDMENT NO. 5 TO NON-PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF SAN LEANDRO AND
DEL CONTE'S LANDSCAPE, INC.
FOR
CITYWIDE LANDSCAPE MAINTENANCE**

This **Amendment No. 5** ("Amendment") is made by and between the City of San Leandro ("City") and Del Conte's Landscaping, Inc. ("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 landscape maintenance at City facilities; and

WHEREAS, the Parties desire to amend the Agreement to extend the term for one year, increase the annual service price by 3%.

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 \$14,680.06 per month for a total of \$176,160.72 for fiscal year 2021-2022; and
3. Exhibit B of the Agreement entitled "Compensation Schedule & Reimbursable Expenses" is hereby amended as attached; and
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

DEL CONTE'S LANDSCAPING, INC.

Frances Robustelli, City Manager

Tom Del Conte, President CEO

Attest:

1000019329
Contractor DIR Registration Number

Leticia I. Miguel, City Clerk

Budget Approved:

Approved as to Fiscal Authority:

Susan Hsieh, Finance Director

010-62-001-5340; 147-42-142-5340; 597-57-003-5340
Account Number

Approved as to Form:

Richard D. Pio Roda, City Attorney

Debbie Pollart, Public Works Director

ATTACHMENT A

Contract/Amendment	Effective Date	Description
NPSA for Citywide Landscape Maintenance	March 1, 2016	Landscape Maintenance services at City Facilities as outlined in Exhibit A – Scope of Services. Cost for FY 2016: \$12,374 per month (4 months) Cost for FY2017: \$12,696 per month Expired June,30, 2017 Council Resolution 2016-024
Amendment No. 1	July 1, 2017	Extend Term for one year with a CPI increase of 3% Cost for FY2018: \$13,077 per month Expired June 30, 2018 Council Resolution 2017-118 - 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 Del Conte’s Landscape, Inc. Cost for FY2019: \$13,495 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 Removed Old Fire Station #10 and Laura Ave. locations Cost for FY2020: \$13,796 per month Expired June 30, 2020
Amendment No. 4	July 1, 2020	Extend Term for one year with a CPI increase of 3.31% Cost for FY2021: \$14,252.48 per month Expires June 30, 2021
Amendment No. 5	July 1, 2021	Extend Term for one year with a CPI increase of 3% Cost for FY2022: \$14,680.06 per month Expires June 30, 2022

Exhibit B
Compensation Schedule Reimbursable Expenses

Monthly Price	Annual Amount	Location/Description of Area	Special Instructions[1]
\$ 724.15	\$ 8,689.78	SL Hospital/Senior Center Shared Parking Lot and the Senior Center grounds and parking lot	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.
\$ 295.32	\$ 3,543.90	Former Comcast Building Western terminus of Marina Blvd	Maintenance work to be provided once per month.
\$ 177.19	\$ 2,126.34	Fire Station #9 450 Estudillo Avenue	Maintenance work to be provided once per month.
\$ 147.66	\$ 1,771.95	Fire Station #10 2194 Williams Street	Maintenance work to be provided once per month.
\$ 147.66	\$ 1,771.95	Fire Station #11 14903 Catalina Street	Maintenance work to be provided once per month.
\$ 147.66	\$ 1,771.95	Fire Station #12 1065 143rd Street	Maintenance work to be provided once per month.
\$ 88.60	\$ 1,063.17	Fire Station #13 637 Fargo Avenue	Maintenance work to be provided once per month.
\$ 192.56	\$ 2,310.77	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.
\$ 192.56	\$ 2,310.77	Mulford Branch Library 13699 Aurora Dr.	Maintenance work to be provided once per month.
\$ 192.56	\$ 2,310.77	South Branch Library 14799 E. 14 th St	Maintenance work to be provided once per month. Bottlebrush to be trimmed as needed.

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Compensation Schedule Reimbursable Expenses

Monthly Price	Annual Amount	Location/Description of Area	Special Instructions[1]
\$ 3,691.56	\$ 44,298.74	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).
\$ 2,510.26	\$ 30,123.14	Civic Center 835-999 E. 14 th Street	All turf and paved areas, including sidewalks, between Root Park and Peralta Avenue, between E. 14 th 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.
\$ 590.65	\$ 7,087.80	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.
\$ 442.99	\$ 5,315.85	Victoria Circle Both sides of Bancroft Ave	Maintenance work to be provided once per week.
\$ 3,898.29	\$ 46,779.47	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).

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 Compensation Schedule Reimbursable Expenses

Monthly Price	Annual Amount	Location/Description of Area	Special Instructions[1]
\$ 295.32	\$ 3,543.90	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.
\$ 945.04	\$ 11,340.48	Main Library 300 Estudillo Avenue	Maintenance of entire exterior/courtyard area, including pots, on a weekly basis.
\$ 14,680.06	\$ 176,160.72	Total [2]	

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

^[2] Annual total is monthly total, to two decimal places, multiplied by 12.