

**AMENDMENT NUMBER THREE
TO MAINTENANCE SERVICES AGREEMENT
WITH
BRIGHTVIEW LANDSCAPE SERVICES, INC.**

This Amendment Number Three ("Amendment") is made and entered into this 16th day of October, 2018 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and BRIGHTVIEW LANDSCAPE SERVICES, INC., a California corporation ("Contractor").

WHEREAS, City and Marina Landscape Maintenance, Inc. entered into an agreement on October 31, 2016 for Marina Landscape Maintenance, Inc. to provide park and landscape maintenance services on City property (the "Agreement"); and

WHEREAS, Contractor acquired the maintenance division of Marina Landscape Maintenance, Inc. in January 2017, resulting in the assignment of the Agreement to Contractor, and City consented to the assignment of the Agreement; and

WHEREAS, on February 20, 2018, City and Contractor amended the Agreement to reflect the assignment, to amend the Scope of Services, and to increase Consultant's maximum annual compensation; and

WHEREAS, on August 20, 2018, City and Contractor amended the Agreement to increase Contractor's maximum annual compensation; and

WHEREAS, City and Contractor now desire to amend the Scope of Services to include the additional locations set forth in Exhibit "A," attached hereto and incorporated herein by this reference; and

WHEREAS, City desires to increase Contractor's maximum annual compensation.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The Scope of Services shall be amended to include the additional locations set forth Exhibit A.
2. Section 2.1 of the Agreement shall be amended to reflect that Contractor's annual compensation shall not exceed Two Million Four Hundred Fifty-Five Thousand Eighty-Six Dollars and Seventy Cents (\$2,455,086.70).
3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
4. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first written above.

CITY OF COSTA MESA

acting Jamara S. Delorme Date: 11/28/18
City Manager

CONTRACTOR

[Signature] Date: 11.13.2018
Signature
SHANNON SPERATES VP+GM
Name and Title

ATTEST:

Brenda Green 11-29-18
City Clerk



APPROVED AS TO FORM:

[Signature] Date: 11/28/18
City Attorney

APPROVED AS TO INSURANCE:

[Signature] Date: 11/20/18
Risk Management

APPROVED AS TO CONTENT:


[Signature] Date: 11-20-18
Project Manager

DEPARTMENTAL APPROVAL:

For 
Public Services Director

Date: 11-20-18

APPROVED AS TO PURCHASING:


Finance Director

Date: 11/28/18

EXHIBIT A
ADDITIONAL LOCATIONS

Hours	Location:	Monthly Cost	Yearly Cost
48	Placentia Ave. – Medians	\$1,560.00	\$18,720.00
56	Arlington Drive Bio Swales and Parkways	\$1,820.00	\$21,840.00
18	Bristol Street Medians from Baker to Newport Blvd.	\$987.50	\$11,850.00
		\$4,367.50	\$52,410.00