

CITY OF STOCKTON
STANDARD AGREEMENT AMENDMENT

Agreement Number:	Amendment Number:
2019-02-05-1118 423000314	3

This Amendment Number 3 to the above referenced Agreement is entered into on _____ : between the City of Stockton ("City") and Al Fresco Landscaping, Inc. ("Contractor").

RECITALS

Section 5, Schedule and Term, states the contract may be extended by mutual agreement up to two additional one-year terms from the original contract end date of June 30, 2022. Section 4-4, Contract Extension states "but in no case shall the contract be extended past five years."

The City and Contractor executed the first, one-year extension by letter dated May 5, 2022, to continue park streetscape landscape maintenance services through June 30, 2023.

The City and Contractor executed the second one-year extension by letter dated June 8, 2023, to continue park streetscape landscape maintenance services through June 30, 2024.

The City needs to execute a third, three-year extension, to continue park streetscape landscape maintenance services through June 30, 2027.

Now therefore, the City and Contractor mutually agree as follows:

1. The City and Al Fresco Landscaping, Inc. agree to a three-year extension of services. For the first two years of the extension, July 1, 2024 to June 30, 2026, the annual not to exceed amount of the contract shall be \$2,333,557.08. For the third year of the extension, July 1, 2026 to June 30, 2027, the City and Al Fresco Landscaping, Inc. agree that the contract prices will be increased by the increase in the San Francisco-Oakland-San Jose All Urban Consumers Price Index CPI for January 1, 2025 to December 31, 2025, but the annual amount of the contract shall not to exceed \$2,566,912.79. The total compensation to be paid to the Contractor, including all contract change orders and contract extensions, shall not exceed \$17,444,364.13.

2. The termination date in Section 5, Schedule and Term is amended to: "June 30, 2027."

3. The extension provision in Section 4-4, Contract Extension, of the Specifications, shall be amended to read: "The contract can be extended by written amendment, signed by both parties. Should an extension be granted, at the end of such extension(s) and upon completion of contract term, all maintenance areas shall be in conformance with the project specifications. If maintenance areas are not in conformance by the end of the contract term, the City may deduct the cost to bring the areas into conformance from the contractor's final billing invoice and/or any retention held."

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