

FOURTH AMENDMENT TO PERFORMANCE SERVICES AGREEMENT
FOR LANDSCAPE AND TURF MAINTENANCE

THIS FOURTH AMENDMENT, is made and entered into this November ____, 2014, by and between the CITY OF COSTA MESA, a California municipal corporation ("City") and SPECTRUMCARE LANDSCAPE, a California Corporation ("Contractor"). The abovementioned parties being hereinafter collectively referred to as the "Parties".

Recitals

- A. City entered into an Agreement with Contractor on October 17, 2006, to perform landscape and turf maintenance of parks, facilities and sports fields; and
- B. The parties have exercised the maximum number of extensions authorized under the Agreement; and
- C. The term of the Agreement expired on June 30, 2014; and
- D. The City desires to issue a new Request for Proposals for the services currently provided by Contractor; and
- E. The Contractor has continued to provide services subject to the Agreement upon the understanding and agreement that the term of the Contract was extended on a month to month basis; and
- F. The Parties now desire to execute this written amendment to the Agreement extending the term of the Agreement so that Contractor continues to provide services under the Agreement and the City has time to issue a new Request for Proposals; and
- G. The Parties desire to extend the term of the Agreement herein from July 1, 2014 through February 28, 2015.

NOW, THEREFORE, in consideration of the mutual terms and conditions set forth in the Agreement, the Parties hereby amend the Agreement as follows:

- 1. Paragraph 4.1 of the Agreement is hereby amended to extend the term of the Agreement until February 28, 2014.
- 2. Paragraph 2.1 of the Agreement is hereby amended to include the following:

Commencing July 1, 2014, the City agrees to pay Contractor the additional amounts below unless the Agreement is sooner terminated. The amount owed shall be paid according to the schedule below and shall not exceed \$236,484.24.

Monthly Period	Monthly Payment Amount
July 1, 2014 thru July 31, 2014	\$29,560.53
August 1, 2014 thru August 31, 2014	\$29,560.53
September 1, 2014 thru September 30, 2014	\$29,560.53
October 1, 2014 thru October 31, 2014	\$29,560.53

November 1, 2014 thru November 30, 2014	\$29,560.53
December 1, 2014 thru December 31, 2014	\$29,560.53
January 1, 2015 thru January 31, 2015	\$29,560.53
February 1, 2015 thru February 28, 2015	\$29,560.53
TOTAL	\$236,484.24

3. All other provisions of the Agreement shall remain in full force and effect. This Amendment with the Agreement shall be construed together and shall constitute one Agreement.

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 above written.

Customer:
CITY OF COSTA MESA,
A Municipal Corporation

Contractor:
SPECTRUMCARE LANDSCAPE,
A California Corporation

Tom Hatch, Chief Executive Officer

Y. Mitchell President

President

Dated

10-22-14

Dated

Approved as to Form:

Approved:

Thomas P. Duarte, City Attorney

EW

Ernesto Munoz, Public Services Director

Dated

11-19-14

Dated