

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

This Amendment Number Two ("Amendment") is made and entered into this 20th day of August, 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, City and Contractor previously amended the Agreement to reflect the assignment, to amend the Scope of Services, and to increase Consultant's maximum annual compensation; and

WHEREAS, City requires additional services from Contractor and desires to increase Contractor's maximum annual compensation accordingly to Two Million Three Hundred Nine Thousand Five Hundred Twenty-Three Dollars and Seventy Cents (\$2,309,523.70).

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

1. Section 2.1 of the Agreement shall be amended to reflect that Contractor's annual compensation shall not exceed Two Million Three Hundred Nine Thousand Five Hundred Twenty-Three Dollars and Seventy Cents (\$2,309,523.70).
2. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
3. 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

Thomas R. Hatch
City Manager

Date: 9/10/18

CONTRACTOR

[Signature]
Signature

Date: 8/28/18

SHANNON SPICATOS VICE-PRES + GM
Name and Title

ATTEST:

Branda Green 9/10/18
City Clerk



APPROVED AS TO FORM:

[Signature]
City Attorney

Date: 09/07/18

APPROVED AS TO INSURANCE:

[Signature]
Risk Management

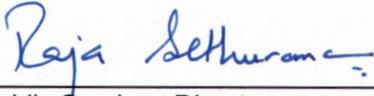
Date: 8/28/18

APPROVED AS TO CONTENT:

[Signature]
Project Manager

Date: 8/28/18

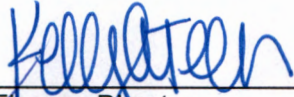
DEPARTMENTAL APPROVAL:



Public Services Director

Date: 8-29-18

APPROVED AS TO PURCHASING:



Finance Director

Date: 8/31/18