

**AMENDMENT NUMBER TWO
TO PROFESSIONAL SERVICES AGREEMENT
WITH
MERCHANTS BUILDING MAINTENANCE, LLC**

This Amendment Number Two ("Amendment") is made and entered into this 15th day of September, 2019 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and MERCHANTS BUILDING MAINTENANCE, LLC, a California limited liability company ("Consultant").

WHEREAS, City and Consultant entered into an agreement on September 16, 2014 for Consultant to provide janitorial services for City buildings and the Costa Mesa Senior Center (the "Agreement"); and

WHEREAS, Section 4.1 of the Agreement provides for a term of sixty (60) months, with the option to extend the Agreement for three (3) additional one (1) year periods; and

WHEREAS, on February 3, 2016, City and Consultant added additional services and increased Consultant's compensation accordingly; and

WHEREAS, Consultant has requested an increase in compensation based upon a Consumer Price Index (CPI) increase of three percent (3.0%); and

WHEREAS, City and Consultant now desire to extend the term of the Agreement for one (1) year, through September 15, 2020, and to set forth Consultant's increased compensation for the extended period accordingly.

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

1. The term of the Agreement shall be extended through September 15, 2020.
2. For the period commencing September 16, 2019 and ending September 15, 2020, Consultant's compensation shall not exceed Four Hundred Thirty-Seven Thousand Two Hundred Eighty-Three Dollars and Thirty- Six Cents (\$437,283.36). Consultant shall be paid in accordance with the Amended Fee Schedule attached hereto as Exhibit "A" and incorporated herein by this reference.
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 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


City Manager

Date: 12/16/19

CONSULTANT


Signature
George Rodriguez Branch Manager
Name and Title

Date: 11.21.19

ATTEST:

Branda Green 12/17/19
City Clerk



APPROVED AS TO FORM:


City Attorney

Date: 12/11/19

APPROVED AS TO INSURANCE:


Risk Management

Date: 11/20/19

APPROVED AS TO CONTENT:


Project Manager

Date: 12/03/2019

DEPARTMENTAL APPROVAL:

Raja Setiawan
Public Services Director

Date: 12/05/19

APPROVED AS TO PURCHASING:

Kedjati
Finance Director

Date: 12/5/19

EXHIBIT A

AMENDED FEE SCHEDULE

City Buildings	Monthly Fee
Balearic Community Center	\$1,798.45
Communications Center	\$1,113.41
Corporation Yard (Old)	\$603.28
Corporation Yard (New)	\$603.28
City Hall	\$7,946.02
Downtown Recreation Center	\$2,275.99
Police Facility	\$8,243.99
Police Substation	\$908.97
Senior Center	\$4,230.88
Outreach Trailer	\$335.90
Park Restrooms	Monthly Fee
Balearic Community Center	\$507.05
Del Mesa Park	\$507.05
Estancia Park	\$507.05
Fairview Park	\$528.71
Heller Park	\$507.05
Jack Hammett Sports Complex	\$528.71
Lions Park - Davis Field	\$507.05
Lions Park	\$507.05
Shiffer Park	\$507.05
Smallwood Park	\$507.05
Tewinkle #1 Angel Playground	\$528.71
Tewinkle #2 Middle Restroom	\$202.33
Tewinkle #3 Skate Park	\$507.05
Tewinkle #4 Sports Complex	\$507.05
Vista Park	\$507.05
Wakeham Park	\$507.05
Wilson Park	\$507.05
Total	\$36,440.28