

AMENDMENT NO 5 TO
JENSEN LANDSCAPE SERVICES, INC.
AGREEMENT FOR
MCCARTHY RANCH LANDSCAPE MAINTENANCE SERVICE



This Amendment is entered into this 15th day of July 2009, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "CITY") and **Jensen Landscape Services, Inc**, (hereafter referred to as "CONTRACTOR").

RECITALS

WHEREAS, the parties entered into an Agreement for landscape maintenance services for the McCarthy Ranch Landscape Assessment District – 95 on August 29th, 2007; and

WHEREAS, the parties desire to amend the Agreement to allow CONTRACTOR to perform additional incidental irrigation repair work not originally included in the scope of the agreement.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree to amend the Agreement as follows:

1. The annual dollar value of the agreement shall be increased by \$15,000.00 from \$73,824.00 to \$88,824.00 per the attached October 1, 2008 Labor Billing Rates schedule; to cover the cost of incidental irrigation repairs for FY 09/10 and shall include a one time lump sum payment of \$12,000.00 to cover the cost of similar repairs for FY 08/09.
2. All other provisions of the Agreement shall remain in full force and effect.

This Amendment is executed as of the date written above.

APPROVED BY:

CITY OF MILPITAS

CONSULTANT

City Manager

Approved As
To Content:

City Project Manager

Approved As
To Form:

City Attorney

Prepared By:

City Purchasing Agent