



CONTRACT

Project: Civic Center, Library Landscape Maintenance Service
Bid No: RFP 2007
Annual Amount of Contract: \$30,620.00

THIS CONTRACT, made this 21st day of September, 2011, by and between the City of Milpitas, hereinafter referred to as the "City of Milpitas" and **Gachina Landscape Management**, hereinafter referred to as "Contractor",

WITNESSETH:

- A. WHEREAS, the City of Milpitas has caused specifications, drawings and other contract documents, hereinafter referred to as "Specifications", to be prepared for certain work on the referenced project; and
- B. WHEREAS, said Specifications include:

- Part A – Notice of Request For Proposals
- Part B – Scope of Work/Detailed Specifications
- Part C – Instructions To Proposer
- Part D – Drawings
- Part E - Addenda
- Part F – Terms and Conditions
- Part G - Special Provisions For Services
- Part H – Proposal Form
- Part I – Contract Sample
- Part J – Non-Collusion Affidavit
- Part K– Proposer's Statement Regarding Insurance Coverage
- Part L – Worker's Compensation Insurance Certificate
- Part M – Proposer's Nondiscriminatory Employment Certificate
- Part N – Payment Bond
- Part O – Subcontractors List
- Part P – Certificate of Compliance
- Part Q – Contractor's Proposal

C. WHEREAS, Contractor has offered to perform the proposed work in accordance with the terms of said Specifications as set forth by submission of the Contractor's Proposal;

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties contained in said Specifications and Contractor's Proposal, which are made a part hereof as though fully set forth, Contractor hereby agrees to complete the work at the prices and on the terms and conditions therein contained, and the City of Milpitas hereby employs the Contractor and agrees to pay the Contractor the contract prices therein provided for the fulfillment of the work and the performance of the covenants therein set forth. The parties further agree as follows:

- 1.) The first year of the contract shall include a one time clean up fee of \$1,100.00 and the City has added \$8,000.00 per year for incidentals, the price for the first year of the contract shall be \$31,720. The second and consecutive years of the contract shall drop back down to the annual not-to-exceed contract value of \$30,620.00
- 2.) The term of this agreement shall become effective on October 1st, 2011; and the agreement shall be for two (2) years with three (3) single year renewal options unless otherwise terminated; and

IN WITNESS WHEREOF, this contract has been executed on the day and year on page one.

City of Milpitas,
A Municipal Corporation

Gachina Landscape Management

Thomas C. Williams, City Manager

Contractor's Signature

Approved As To Form:

Title

Michael J. Ogaz, City Attorney

Approved As To Content:

Eddie Loreda, Project Manager

Business Tax Compliance: Certificate No. _____