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**AMENDMENT NO 1 TO THE CONTRACT  
WITH TERRACARE ASSOCIATES FOR  
PARKS MAINTENANCE SERVICES**

This Amendment is entered into this 5th day of February 2013, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "CITY") and **TerraCare Associates**, (hereafter referred to as "CONTRACTOR").

**RECITALS**

WHEREAS, the parties entered into an Contract for City Park maintenance services as approved by the Milpitas City Council on June 6, 2012; and

WHEREAS, the parties desire to amend the Contract to allow contractor do perform maintenance services for two additional newly constructed City Parks.

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

**Exhibit "A"  
Scope of Work**

The following two newly constructed parks shall be included as part of the Contractor's maintenance responsibilities and services as specified under the original Contract of June 6, 2012.

The Contractor shall provide the same level of service as specified under the original Contract for the two new parks included in this Amendment:

- 1) Alviso Adobe Park located at 2087 Alviso Ct.
- 2) Cerano Park located at 791 Murphy Ranch Road

**Exhibit "B"  
Fees**

- 1) Alviso Adobe Park, including restroom facility: \$3,355 per month.
- 2) Cerano Park, including restroom facility: \$4,100 per month.
- 3) Pricing is per the attached quote from Terracare.

**Total Amendment Price: \$89,460.00 annually**

1. Service to the two new parks shall begin on March 1, 2013.
2. The dollar value of the initial first two years of the contract is \$1,326,155. The contract shall be increased by \$29,820 from \$1,326,155 to \$1,355,975 for the remaining four months of FY 12/13. The second initial year of the contract, and shall increase by \$89,460 to \$1,415, 615 and for contract years 3 through 5 the price shall be increased by the same \$89,460 from \$1,369,638 to \$1,459,098.
3. All other provisions of the Contract shall remain in full force and effect.

This Amendment is executed as of the date written on page one.

APPROVED BY:

CITY OF MILPITAS

TerraCare Associates

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Thomas C. Williams, City Manager

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Name and Title

Approved As  
To Form:

Approved As  
To Content:

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Michael J. Ogaz, City Attorney

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Steve Erickson, City Project Manager

**PROPOSAL**

**To: City of Milpitas**  
455 E. Calaveras Blvd.  
Milpitas, CA 95035-5411

**Project: Alviso Adobe Park**  
including restroom facility

The undersigned proposes to furnish all labor equipment, and materials to perform the following work:

**Park Maintenance per the existing contract documents and specifications of the original agreement of June 6, 2012.**

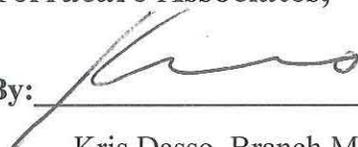
**For the sum of: \$3355.00 per month**

**Accepted:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Effective Date:** \_\_\_\_\_

**Terracare Associates,**

**By:**  \_\_\_\_\_

Kris Dasso, Branch Manager

**Date: January 24, 2013**

**PROPOSAL**

**To: City of Milpitas  
455 E. Calaveras Blvd.  
Milpitas, CA 95035-5411**

**Project: Cerano Park  
including restroom facility**

The undersigned proposes to furnish all labor equipment, and materials to perform the following work:

**Park Maintenance per the existing contract documents and specifications of the original agreement of June 6, 2012.**

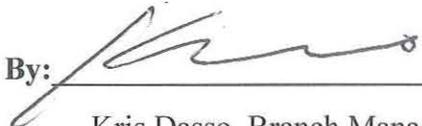
**For the sum of: \$4100.00 per month**

**Terracare Associates,**

**Accepted:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Effective Date:** \_\_\_\_\_

**By:**  \_\_\_\_\_

Kris Dasso, Branch Manager

**Date: January 24, 2013**