

**AMENDMENT NO. 3 TO THE AGREEMENT BETWEEN  
THE CITY OF MANHATTAN BEACH AND MERCHANTS  
LANDSCAPE SERVICES, INC.**

This Amendment No. 3 ("Amendment") to that certain agreement dated July 1, 2010 by and between the City of Manhattan Beach, a California municipal corporation ("City") and Merchants Landscape Services, Inc., a California corporation ("Contractor") (collectively, the "Parties") is hereby entered into as of June 5, 2018.

**RECITALS**

A. On July 1, 2010, City and Contractor entered into an agreement for landscape maintenance services – various locations ("Original Agreement").

B. The term of the Original Agreement was extended until June 30, 2017 by that certain Amendment dated June 16, 2015, and further extended until June 30, 2018 by that certain Amendment No. 2 dated August 1, 2017. The Original Agreement, as amended, is referred to hereafter as the "Agreement".

C. The Parties now desire to extend the term of the Agreement up to three additional months, and to provide for additional compensation for the extension period.

NOW, THEREFORE, in consideration of the Parties' performance of the promises, covenants, and conditions stated herein, the Parties hereby amend the Agreement as follows:

Section 1. The term of the Agreement is hereby extended up to September 30, 2018 unless earlier terminated as herein provided.

Section 2. For the period July 1, 2018 – up to September 30, 2018, compensation shall not exceed the sum of \$141,000 in accordance with the schedule attached hereto as Exhibit A and incorporated herein by this reference.

Section 3. Except as specifically amended by this Amendment No. 3, all terms and conditions set forth in the Agreement shall remain in full force and effect.

**IN WITNESS THEREOF**, the Parties hereto have executed this Amendment on the day and year first shown above.

CITY OF MANHATTAN BEACH,  
a municipal Corporation

  
\_\_\_\_\_  
Bruce Moe, City Manager

Merchants Landscape Services, Inc.,  
a California corporation

By: 

Name: PATRICK D. HEALY

Title: REGIONAL MANAGER

ATTEST:

 5-23-18  
\_\_\_\_\_  
Liza Tamura, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Quinn M. Barrow, City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Stephanie Katsouleas, Director of Public Works

APPROVED BY FINANCE DEPARTMENT:

By: 

\_\_\_\_\_  
Steve S. Charelian  
Interim Finance Director

EXHIBIT A

MASTER PRICING SHEET

[To be added]

## Exhibit A

### Merchants' Landscaping ~Pricing Breakdown

**Contract pricing not to exceed \$141,000.**

**Monthly Landscape Maintenance Fees           \$41,627.03**  
(as per attached Pricing Sheet)

**Additional Fees "as needed" \*\*                               \$16,118.91**

For the period July 1, 2018 – up to September 30, 2018,  
compensation shall not exceed the monthly sum of \$41,627.03.  
Extraordinary, as needed, shall not exceed \$16,118.91.

Month	Total Pricing per month	
July, 2018	\$41,627.03	
August, 2018	\$41,627.03	
September, 2018 **	\$41,627.03	
Additional Fees **	\$16,118.91	
<b>Total:</b>	<b>\$141,000.00</b>	

**\*\*"as needed" – to be determined by Contractor Administrator**