

**FIRST AMENDMENT TO AGREEMENT FOR LANDSCAPE MAINTENANCE
SERVICES BETWEEN CITY OF APACHE JUNCTION AND BRIGHTVIEW
LANDSCAPE SERVICES, INC.**

THIS AMENDMENT is made and entered into this 19th day of Nov., 20 19, ("the Execution Date") by and between the CITY OF APACHE JUNCTION, ARIZONA, an Arizona municipal corporation ("City"), and BRIGHTVIEW LANDSCAPE SERVICES, INC., an Arizona corporation ("Contractor"), sometimes collectively referred to as the "Parties" or individually as the "Party".

RECITALS

A. On June 5, 2018, the Parties entered into an Agreement for landscape maintenance (the "Agreement") for various city-owned areas.

B. The Parties acknowledge that Arizona's Proposition 206 minimum wage increase has resulted in higher operating expenses for Contractor.

C. The Apache Trail median project with new trees and plants along Royal Palm are an additional maintenance responsibility not contemplated under the Agreement.

D. Areas in the scope of work have also expanded to include routine weekly maintenance.

E. Based on the above circumstances, the Parties acknowledge a ten percent (10%) increase to the original contract price is reasonable.

AGREEMENT

NOW, THEREFORE, in consideration of mutual promises contained herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Parties agree to amend the June 5, 2018 Agreement as follows:

A. Section 2. **PRICES**: Prices shall be governed under Exhibit A for the performance of the Work under the contract documents.

B. Section 3. **CONTRACT TERM**: The Term of this Contract shall be performed from November 15, 2019 through November 15, 2020. Additional renewals are addressed in § 21 of this Agreement.

C. Except as expressly amended herein, all other terms and provisions of the Agreement executed by the Parties shall remain in full force and effect until this Amendment is terminated.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be signed by their duly authorized representatives as of the day and year first above written.

CONTRACTOR:

**BRIGHTVIEW LANDSCAPE SERVICES,
INC., an Arizona corporation**

By: Jon Hasbrouck
Its: VP GM

CITY:


**CITY OF APACHE JUNCTION, ARIZONA,
an Arizona municipal corporation**

By: Jeff Serdy
Its: Mayor

ATTEST:

Jennifer Peña
City Clerk

APPROVED AS TO FORM:

 11-12-19
R. Joel Stern
City Attorney

STATE OF ARIZONA)
COUNTY OF Maricopa) ss.

The foregoing was subscribed and sworn to before me this 7th
day of November, 2019, by Jon Hasbrouck as VPGM of
Brightview Landscape Services, Inc., an Arizona corporation.

Michelle Lopez
Notary Public

My Commission Expires:

June 30, 2022



STATE OF ARIZONA)
COUNTY OF PINAL) ss.

The foregoing was subscribed and sworn to before me this _____
day of _____, 20____, by Jeff Serdy, as Mayor of the City of Apache
Junction, Arizona, an Arizona municipal corporation.

Notary Public

My Commission Expires:

Exhibit A

COST PROPOSAL

BASE BIDS

All base pricing shall include adherence to items 1 – 15 of the special provisions and specifications section of the request for proposal.

BASE BID 'A' RENAISSANCE POINT: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping, walkways, sport courts, irrigation system and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

Eighteen Thousand Six Hundred Thirty Nine Dollars and Thirty Two Cents (\$18,639.32)

BASE BID 'B' ARROYO VERDE: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping, walkways, irrigation system and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

Twenty Five Thousand Five Hundred Thirty Four Dollars and Forty Five Cents (\$25,534.45)

BASE BID 'C' PHELPS DRIVE PHASE I: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping, walkways, seating areas, irrigation system and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

Four Thousand Five Hundred Sixty Six Dollars and Forty Five Cents (\$4,566.45)

BASE BID 'D' PHELPS DRIVE PHASE II: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping, walkways, seating areas, irrigation system and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

Three Thousand Two Hundred Twenty Five Dollars and Eighty Five Cents (\$3,225.85)

BASE BID 'E' IRONWOOD COVE: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping, irrigation system and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

Two Thousand Four Hundred Twenty Nine Dollars and Eighty Six Cents (\$2,429.86)

BASE BID 'F' ROYAL PALM RD.: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping, irrigation system and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

Four Thousand Six Hundred Eight Dollars and Thirty Five Cents (\$4,608.35)

BASE BID 'G' IRONWOOD DR. EXIT: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

Fifteen Thousand One Hundred Thirty Six Dollars and Forty Nine Cents (\$15,136.49)

BASE BID 'H' GOLDFIELD RD. EXIST: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

Sixteen Thousand Nine Hundred Sixty Five Dollars and Thirty Seven Cents (\$16,965.37)

BASE BID 'I' TOMAHAWK RD. EXIT: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

Fifteen Thousand Six Hundred Ninety Dollars and Nineteen Cents (\$15,690.19)

BASE BID 'J' IDAHO RD. EXIT: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

Seventeen Thousand Six Hundred Ninety Nine Dollars and Ninety Eight Cents (\$17,699.98)

BASE BID 'K' PLAZA DR.: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping, irrigation system and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

One Thousand Four Hundred Forty Five Dollars and Thirty Five Cents (\$1,445.35)

BASE BID 'L' OLD WEST HIGHWAY MEDIAN: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping, irrigation system and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

Four Thousand Twenty One Dollars and Eighty Three Cents (\$4,021.83)

BASE BID 'M' NORTH APACHE TRAIL: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping, irrigation system and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

One Thousand Seven Hundred Thirty Eight Dollars and Sixty One Cents (\$1,738.61)

BASE BID 'N' PUBLIC WORKS FACILITY: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping, irrigation system and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

Two Thousand Seventy Three Dollars and Seventy Five Cents (\$2,073.75)

BASE BID 'O' PAWS & CLAWS CARE CENTER (ANIMAL CONTROL FACILITY): Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping, irrigation system and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

Two Thousand Three Hundred Four Dollars and Seventeen Cents (\$2,304.17)

BASE BID 'P' APACHE TRAIL/OLD WEST HIGHWAY MEDIAN: Consists of all necessary material, labor, tools, transportation and service to complete the maintenance of the landscaping and other related work in accordance with the approved contract documents for a period of 12 months with an anticipated start date of approximately November 19, 2019.

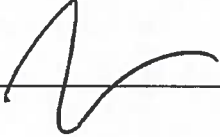
Thirteen Thousand Six Hundred Forty Four Dollars and Thirty Nine Cents (\$13,644.39)

TOTAL OF BASE BIDS LUMP SUM

\$149,751.40

One Hundred Forty Nine Thousand Seven Hundred Fifty One Dollars and Forty Cents

Total Base Lump Sum Bid in Words

Signature  Date 11/6/19
Printed Name Jon Hasbrouck Title VPGM

LANDSCAPE MAINTENANCE UNIT COSTS

These unit costs are to be submitted with the Bid and are intended to be used in the event a need arises to adjust the Contract price. Prices submitted must be valid for either adding or deleting work from the Contract base bid. Each unit cost must include all of the Contractor's profit, overhead and any applicable taxes.

Unit Costs listed below are intended for the purposes of adding or deleting services within the Agreement.

LABOR HOURLY RATES

Unit Cost Description:

Hourly labor rates to perform landscape related work within the designated contract areas or other areas within the city that the city may request on a one time basis including all material, labor, tools, equipment, transportation and services as described in Section 1.0 of the Special Conditions of the Contract documents.

Work Crew Supervisor	\$45.00
Laborer	\$30.00

CLEANING

Unit Cost Description:

Price to perform one entire cleaning of the Contract area including all material, labor, tools, equipment, transportation and services as described in Section 1.0 of the Special Conditions of the Contract documents.

Renaissance Point Total	\$1,412.07
Arroyo Verde Total	\$1934.43
Phelps Drive Phase I & II	\$590.32
Ironwood Cove	\$184.08
Royal Palm Rd.	\$349.12
Ironwood Dr. Exit	\$1,148.75
Goldfield Rd. Exit	\$1,285.26
Tomahawk Rd. Exit	\$1,188.65

Idaho Rd. Exit	\$1,340.91
Plaza Dr.	\$109.50
Old West Highway Median	\$304.68
North Apache Trail	\$131.71
Public Works Facility	\$157.10
Paws & Claws Care Center	\$174.56
Apache Trail/Old West Highway Median	\$4,736.89

TURF

Unit Cost Description:

Price to perform one entire mowing of the Contract area including all

material, labor, tools, equipment, transportation and services as described in Section 2.1, 2.2, 2.3, and 2.4 of the Special Conditions of the Contract documents.

Renaissance Point Total \$151.20

OVER-SEEDING AND VERTI-CUTTING

Unit Cost Description:

Price to perform one entire verti-cutting and over-seeding of the Contract area including all material, labor, tools, equipment, transportation and services as described in Section 2.5, and 2.6 of the Special Conditions of the Contract documents.

Renaissance Point Total \$684.00

TURF FERTILIZATION

Unit Cost Description:

Price to perform one entire turf fertilization of the Contract area including all material, labor, tools, equipment, transportation and services as described in Section 4.1, 4.2, 4.3 and 4.5 of the Special Conditions of the Contract documents.

Renaissance Point Total \$27.50

NON-TURF AREA FERTILIZATION

Unit Cost Description:

Price to perform one entire non-turf area fertilization of the contract area including all material, labor, tools, equipment, transportation and services as described in Section 4.4 and 4.5 of the Special Conditions of the Contract documents.

Renaissance Point Total	\$1,180.30
Arroyo Verde Total	\$1,767.55
Phelps Drive Phase I & II	\$539.40
Ironwood Cove	\$168.20
Royal Palm Rd.	\$319.00
Plaza Dr.	\$100.05
Old West Highway Median	\$278.40
North Apache Trail	\$120.35
Public Works Facility	\$143.55
Paws & Claws Care Center	\$ 159.50

NON-TURF AREA PRE-EMERGENT APPLICATION

Unit Cost Description:

Price to perform one entire non-turf area pre-emergent application of the contract area including all material, labor, tools, equipment, transportation and services as described in Section 4.4 and 4.5 of the Special Conditions of the Contract documents.

Renaissance Point Total	\$3,382.53
Arroyo Verde Total	\$5,065.48
Phelps Drive Phase I & II	\$1,545.83
Ironwood Cove	\$482.03
Royal Palm Rd.	\$914.20
Plaza Dr.	\$286.73

Old West Highway Median	\$797.84
North Apache Trail	\$344.90
Goldfield Rd. Exit	\$5,086.20
Tomahawk Rd. Exit	\$4,703.96
Idaho Rd. Exit	\$5,306.50
Public Works Facility	\$411.39
Paws & Claws Care Center	\$ 457.10
Apache Trail/Old West Highway Median	\$12,403.99

TURF WEED CONTROL TREATMENT

Unit Cost Description:

Price to perform one entire turf weed control treatment of the Contract area including all material, labor, tools, equipment, transportation and services as described in Section 5.3 and 5.4 of the Special Conditions of the Contract documents.

Renaissance Point Total \$475.00

EMERGENCY RESPONSE

Unit Cost Description:

Price to perform an emergency response for the Contract area including all material, labor, tools, equipment, transportation and services as described in Section 9.1 of the Special Conditions of the Contract documents. (Any aspect of the emergency that would require special materials, equipment or work to be performed outside of that which would normally be encountered as described in the Special Conditions will be paid for by the City through and extra work authorization).

Total \$195.00

TREE REPLACEMENT

Unit Cost Description:

Price to replace a tree within the Contract area including all material, labor, tools, equipment, transportation and services as described in Section 6.2 of the Special

Conditions of the Contract documents. (Price for the tree alone is to be separate from the actual installation cost in case the City decides to provide the tree and have the

Contractor only install it. Or the City may elect to have the Contractor provide the tree and the City install it).

15 Gallon Tree	\$102.00	Installation	\$60.00	Total	\$162.00
24" Box Tree	\$173.00	Installation	\$80.00	Total	\$253.00
36" Box Tree	\$300.00	Installation	\$160.00	Total	\$460.00
48" Box Tree	\$367.00	Installation	\$232.00	Total	\$600.00

SHRUB AND GROUNDCOVER REPLACEMENT

Unit Cost Description:

Price to replace a shrub or groundcover within the Contract area including all material, labor, tools, equipment, transportation and services as described in Section 6.2 of the Special Conditions of the Contract documents.

5 Gallon Shrub	\$24.00
1 Gallon Groundcover	\$9.70

TREE REMOVAL

Unit Cost Description:

Price to remove a tree from within the Contract area including all material, labor, tools, equipment, transportation and services as described in Section 6.2 of the Special Conditions of the Contract documents.

Tree caliper between 4" and 8"	\$425.00
Tree caliper between 8" and 12"	\$650.00
Tree caliper between 12" and 18"	\$825.00
Tree caliper between 18" and 24"	\$1,350.00
Tree caliper between 24" and 30"	\$2,500.00
Tree caliper over 30"	\$3,500.00

TREE PRUNING ABOVE 8'

Unit Cost Description:

Price to perform selective pruning on a tree whose branches attach to the main trunk of the tree 8' or more above the adjacent ground including all material, labor, tools, equipment, transportation and services as described in Section 8.0 of the Special Conditions of the Contract documents.

Pruning Cost Per Tree \$90.00

PALM TREE TRIMMING ABOVE 12'

Unit Cost Description:

Price to perform trimming of a palm tree whose crown is 12' or more above the adjacent ground including all material, labor, tools, equipment, transportation and services as described in Section 8.0 of the Special Conditions of the Contract documents.

Trimming Cost Per Tree \$75.00