RESOLUTION AUTHORIZING CONTRACT AMENDMENT NO. 2 WITH ODYSSEY LANDSCAPE COMPANY, INC., FOR ADDITIONAL SERVICES

On May 19, 2009, by Resolution No. 09-0143, the City of Stockton, a municipal corporation, hereinafter referred to as "CITY," and Odyssey Landscape Company, Inc., hereinafter referred to as "CONTRACTOR," entered into a contract in the amount of $919,440.00, for PUR 09-031; and

Contract Amendment No. 1, in the amount of $44,704.50, has been processed adding area to be maintained; and

City desires to have CONTRACTOR perform additional services at additional parks/facilities; and

Contract Amendment No. 2, in the amount of $163,588.79, has been prepared detailing the additional services to be performed and the parks/facilities at which said services are to be performed; and

Contract Amendment No. 2 provides for a new total contract amount of $1,127,733.29 and is recommended for approval; now, therefore;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. That Contract Amendment No. 2 between the CITY and CONTRACTOR, in the amount of $163,588.79, a copy of which is attached hereto as Exhibit "A" and incorporated by this reference, is hereby approved.

2. That the City Manager is hereby authorized to execute said Contract Amendment No. 2 on behalf of the City of Stockton.
3. That the new total contract amount of $1,127,733.29, which also includes previously-approved Contract Amendment No. 1 totaling $44,704.50 and Contract Amendment No. 2, is hereby approved.

4. That the City Manager is authorized to take such other actions as are appropriate to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED

JUL 28 2009

ANN JOHNSTON
Mayor of the City of Stockton

ATTEST:

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton
CITY OF STOCKTON

Contract Amendment No. 2

Odyssey Landscape Company, Inc.
Project No. PUR 09-031, Resolution No. 09-0143

Original Contract Price $919,440.00
CA No. 1 $44,704.50
CA No. 2 $163,588.79
Revised Contract Price $1,127,733.29

TO Odyssey Landscape Company, Inc., You are hereby directed to make the herein described changes from the plans and specifications to perform the following described work not included in the plans and specifications of this contract.

All labor, equipment, and materials to provide site cleaning, to empty trash receptacles and clean and restock restrooms at Victory Park and Weber Point Events Center per proposal dated July 7, 2009, from August 1, 2009 to December 31, 2010 ($129,963.00); and all labor, equipment, and materials to provide regular landscape maintenance and janitorial/site cleaning/play equipment inspection services at the Community Park service level at the Teen Center, City Hall, Civic Auditorium, Permit Center, Community Services Building, DeCarli Plaza, Hunter Square, Main Street Plaza, and Children's Museum, all in accordance with the specifications for PUR 09-031 from August 1, 2009, through December 31, 2010; and all labor, equipment, and materials for janitorial/site cleaning/play equipment inspection services at the Community Park service level at McLeod Lake park in accordance with the specifications for PUR 09-031 from August 1, 2009, through December 31, 2010; and all labor and materials to provide landscape maintenance service at the Municipal Service Center/Animal Control site, Police Department Building at 22 E. Market, and landscaping around and in front of Selfert Community Center in accordance with the specifications for PUR 09-031 from August 1, 2009, through December 31, 2010.

010-3070-590.20-25 $163,588.79

The additional compensation, if any, included in this change order constitutes the full compensation, including all mark ups, profit, surcharges, taxes and overhead costs, for the change in work specified.

We, the undersigned contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above.

By reason of this proposed change, 2 days extension of time will be allowed.

Accepted Date

Odyssey Landscape Company, Inc. (Contractor)

By ______________________________

Title ______________________________

Note: This change order is not effective until approved by the City Manager or if under Council approved limits, Department Director.

*Increase/Decrease

Total cost of change not to exceed $163,588.79

Approval Recommended ____________________________

Director of Public works

Approved ____________________________

City Council Resolution

Approved ____________________________

City Manager

Available Funding

Verified ____________________________

Admin. Analyst

APPROVED AS TO FORM
OFFICE OF CITY ATTORNEY

BY ____________________________

DEPUTY CITY ATTORNEY
July 7, 2009

Dear Mr. Kroll,

As per your request, the following is a proposal to provide janitorial services at the Webber Point Event Center and Victory Park in Stockton, CA. This price includes to have staff pick up trash at both sites at least (3) times a day, (7) days a week. As well as clean restrooms as needed. Price to follow our pricing of extra work and adding in for equipment and extra supplies.

Total cost per month $7,645.00

Thank you for the opportunity to place this bid, we are looking forward to work with you on this project. And please do not hesitate to call me should you have any questions.

Sincerely,
Dave Silva
Landscape Maintenance Division
Phone: 209.369.6197
Fax: 209.369.6965
Cell: 209.810-6618
Email: dsville@odysseylandscape.com

800 W. Eight Mile Rd, Stockton, CA 95209
## PUR 09-031, CONTRACT AMENDMENT NO. 2, Additional Facilities Maintained

**Contract Amendment 2, PUR 09-031**

**Landscape Maintenance and Janitorial/Site Cleaning at Additional Facilities**

<table>
<thead>
<tr>
<th>Facility Description</th>
<th>Acres</th>
<th>Bid Cost/Acre/Year for Community Park Service</th>
<th>Annual Cost at Bid Schedule Frequency (Cost/Acre)</th>
<th>Landscape Service Cost/Acre</th>
<th>Annual Cost at Bid Schedule Frequency</th>
<th>Total Annual Cost</th>
<th>Total Monthly Cost</th>
<th>August 1, 2009 to December 31, 2009 Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Teen Center, 1.4 ac. Total site area, 9,900 sf landscaped</td>
<td>1.4</td>
<td>$549.14</td>
<td>$768.80</td>
<td>$941.03</td>
<td>$1,317.44</td>
<td>$2,066.24</td>
<td>$173.85</td>
<td>$2,966.46</td>
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<tr>
<td>2 City Hall, 1.96 ac total site; 24,600 sq. ft. landscaped</td>
<td>1.98</td>
<td>$549.14</td>
<td>$1,087.30</td>
<td>$941.03</td>
<td>$1,863.24</td>
<td>$2,950.54</td>
<td>$245.89</td>
<td>$4,180.13</td>
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<tr>
<td>3 Civic Auditorium, 2.10 total site, 22,000 sq. ft. landscaping</td>
<td>2.1</td>
<td>$549.14</td>
<td>$1,155.19</td>
<td>$941.03</td>
<td>$1,976.16</td>
<td>$3,129.36</td>
<td>$260.78</td>
<td>$4,433.26</td>
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<tr>
<td>4 Permit Center, 1000 sq. ft. landscaping</td>
<td>0.02</td>
<td>$549.14</td>
<td>$10.96</td>
<td>$941.03</td>
<td>$18.82</td>
<td>$29.90</td>
<td>$2.48</td>
<td>$42.16</td>
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<tr>
<td>5 Community Service Building, 8 tree wells</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$2.48</td>
<td></td>
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<tr>
<td>6 DePatie Plaza, 2.24 ac. Total site; 14,500 sq. ft. landscaping</td>
<td>2.24</td>
<td>$549.14</td>
<td>$1,230.07</td>
<td>$941.03</td>
<td>$2,107.91</td>
<td>$3,337.98</td>
<td>$278.71</td>
<td>$4,728.89</td>
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<tr>
<td>7 Hunter Square</td>
<td>1.96</td>
<td>$549.14</td>
<td>$1,076.31</td>
<td>$941.03</td>
<td>$1,844.42</td>
<td>$2,920.73</td>
<td>$243.39</td>
<td>$4,137.63</td>
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<tr>
<td>8 Main Street Plaza, Center St. to 60 feet west of Commerce, 43,800 sq. ft. mixed landscaping and sidewalk</td>
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<td></td>
<td>$2,111.06</td>
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<tr>
<td>9 Children's Museum, 3.0 total site, 36,200 sq. ft. landscaping</td>
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<td>$549.14</td>
<td>$1,647.42</td>
<td>$941.03</td>
<td>$2,823.09</td>
<td>$4,470.51</td>
<td>$372.54</td>
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<tr>
<td>10 Municipal Service Center/Animal Control, 27,500 sq. ft. landscaping</td>
<td>0.63</td>
<td>maintenance N/A</td>
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<td>$49.40</td>
<td>$839.80</td>
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<td>11 Police Department Building, 22 E Market, landscaping around block and building</td>
<td>0.34</td>
<td>maintenance N/A</td>
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<td>$28.66</td>
<td>$453.22</td>
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<td>12 Siebert Center, landscaping around building and parking lot</td>
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<td>maintenance N/A</td>
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<td>$74.50</td>
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<td>13 McLeod Lake</td>
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<td>$549.14</td>
<td>$1,482.88</td>
<td>$941.03</td>
<td>$1,962.88</td>
<td>$3,445.76</td>
<td>$281.29</td>
<td>$5,266.69</td>
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**Totals**

| 18.32 | $7,534.20 | $13,503.78 | $20,445.13 | $1,977.87 | $33,623.79 |

July 8, 2009
PUR 090-031, Contract Amendment No. 2, Civic Auditorium
PUR 09-031, Contract Amendment No. 2
Municipal Service Center/Animal Control
Landscaping along Lincoln Street/Turnpike
PUR 09-031, Contract Amendment No. 2
Police Dept. Bldg., 22 E Market
Landscaping and tree wells around building,
planter areas in front of building