RESOLUTION AUTHORIZING CONTRACT AMENDMENT NO. 3 WITH ODYSSEY LANDSCAPE COMPANY, INC., FOR MAINTENANCE OF ADDITIONAL AREAS

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

On July 28, 2009, by Resolution Number 09-0255, the City Council approved Contract Amendment No. 2 and previously approved Contract Amendment No. 1, which increased the total contract amount to $1,127,733.29; and

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

Contract Amendment No. 3, in the amount of $14,864.29, has been prepared detailing the additional services to be performed and the location at which said services are to be performed; and

Contract Amendment No. 3 provides for a new total contract amount of $1,142,597.58 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. 3 between the CITY and CONTRACTOR, in the amount of $14,864.29, a copy of which is attached hereto as Exhibit “A” and incorporated by this reference, is hereby approved.
CITY OF STOCKTON

Contract Amendment No. 3

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 $161,924.37
CA No. 3 $14,864.29
Revised Contract Price $1,142,597.58

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 regular landscape maintenance services on the East Bay Municipal Utilities District Property from the easterly side of Interstate Route 5 to the westerly side of McGaw St. in accordance with the specifications for PUR 09-031 from August 1, 2009, through December 31, 2010.

010-3070-590 20-25 $14,864.29

The additional compensation, if any, included in this change order constitutes the full compensation, including all markups, 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, 0 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.
PUR 09-031, CONTRACT AMENDMENT NO. 3, Landscape Maintenance of East Bay Municipal Utilities District Property, Interstate Route 5 to McGaw St.

Contract Amendment 3, PUR 09-031

EBMUD - I-5 to Mc Gaw St., Regular Landscape Maintenance in accordance with PUR 09-031, PUR 09-031 bid price.

<table>
<thead>
<tr>
<th>Facility</th>
<th>Acres</th>
<th>Bid Cost/Ac/Yr for Landscape Maintenance Service</th>
<th>Annual Cost at Bid Schedule Frequency (12 months)</th>
<th>Monthly Cost</th>
<th>August 1, 2009 to December 31, 2009 Costs (17 Months)</th>
</tr>
</thead>
<tbody>
<tr>
<td>EBMUD I-5 to Mc Gaw</td>
<td>11.15</td>
<td>$941.03</td>
<td>$10,492.48</td>
<td>$874.37</td>
<td>$14,864.29</td>
</tr>
</tbody>
</table>

June 25, 2009
PUR 090-031, Contract Amendment No. 3, Landscape Maintenance for EBMUD from I-5 to McGaw
2. That the City Manager is hereby authorized to execute said Contract Amendment No. 3, on behalf of the City of Stockton, and the new total contract amount of $1,142,597.58, which also includes previously-approved Contract Amendments No. 1 and 2 totaling $208,293.29, is hereby approved.

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

PASSED, APPROVED, and ADOPTED ____________________________

[Signature]
ANN JOHNSTON
Mayor of the City of Stockton

ATTEST:

[Signature]
KATHERINE GONG MEISSNER
City Clerk of the City of Stockton