

**FIFTH AMENDMENT TO AGREEMENT FOR
LANDSCAPE MAINTENANCE SERVICES FOR MUNICIPAL PARKING FACILITIES
(EXTERIOR ONLY) - RFP NO. 1480**

BRIGHTVIEW LANDSCAPE SERVICES, INC.

This FIFTH AMENDMENT TO AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES FOR MUNICIPAL PARKING FACILITIES (EXTERIOR ONLY) ("Fifth Amendment") is made and entered into this _____ day of _____, 2021, by and between the CITY OF RIVERSIDE, a California charter city and municipal corporation ("City"), and BRIGHTVIEW LANDSCAPE SERVICES, INC., a California corporation ("Contractor"), with reference to the following facts:

RECITALS

WHEREAS, on July 28, 2015, City and ValleyCrest Landscape Maintenance, Inc. entered into an Agreement For Landscape Maintenance Services For Municipal Parking Facilities (Exterior Only) ("Agreement"), wherein Contractor agreed to provide landscape services for Municipal Parking Facilities (Exterior Only); and

WHEREAS, on November 16, 2016, City and BrightView Landscape Services, Inc. entered into a First Amendment to Agreement for Landscape Maintenance Services for Municipal Parking Facilities (Exterior Only) ("First Amendment") wherein the parties agreed to amend the name of Contractor for the Agreement from ValleyCrest Landscape Maintenance, Inc. to BrightView Landscape Services, Inc.; and

WHEREAS, on May 31, 2018, City and BrightView Landscape Services, Inc. entered into a Second Amendment to Agreement for Landscape Maintenance Services for Municipal Parking Facilities (Exterior Only) ("Second Amendment") wherein the parties agreed to extend the term of the agreement for one (1) year from July 1, 2018 to June 30, 2019.; and

WHEREAS, on May 10, 2019, City and BrightView Landscape Services, Inc. entered into a Third Amendment to Agreement for Landscape Maintenance Services for Municipal Parking Facilities (Exterior Only) ("Third Amendment") wherein the parties agreed to extend the term of the agreement for one (1) year from July 1, 2019 to June 30, 2020.; and

WHEREAS, on March 10, 2020, City and BrightView Landscape Services, Inc. entered into a Fourth Amendment to Agreement for Landscape Maintenance Services for Municipal Parking Facilities (Exterior Only) ("Fourth Amendment") wherein the parties agreed to extend the term of the agreement for one (1) year from July 1, 2020 to June 30, 2021.; and

WHEREAS, the parties desire to extend the term of the Agreement for one (1) additional year, from July 1, 2021, to June 30, 2022; and

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by this reference, City and Contractor mutually agree as follows:

1. Section 2 of the Agreement is hereby amended to extend the term for one (1) additional year, from July 1, 2021, to June 30, 2022.

2. Section 3 of the Agreement is hereby amended to increase the compensation in the amount not to exceed Seventy-Four Thousand Forty-Four Dollars (\$74,044).

3. All terms and conditions of the Agreement and its amendments not inconsistent herewith shall remain in full force and effect and are hereby incorporated by reference into this Fifth Amendment as though set forth in full herein.

[signatures on the following page]

IN WITNESS WHEREOF, the parties hereto have caused this Fifth Amendment to be executed the day and year first above written.

CITY OF RIVERSIDE, a California charter city and municipal corporation

BRIGHTVIEW LANDSCAPE SERVICES, INC., a California corporation

By: _____
City Manager

By: Frank Annino
Name: Frank Annino
Its: Senior Vice President
Nov 19, 2020

ATTEST:

By: _____
City Clerk

By: Nick Patterson
Name: Nick Patterson
Its: Vice President/General Manager
11/19/20

Certified as to Availability of Funds:

By: [Signature]
Chief Financial Officer

APPROVED AS TO FORM:

By: [Signature]
Ruthann M. Salera
Deputy City Attorney

CA: 15-0987.5 RMS 10/27/20
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