

**Amendment No. 2 to the Maintenance Services Agreement
Between the City of Coachella
and
CV Pipeline**

1. Parties And Date.

This Amendment No. 2 to the Maintenance Services Agreement ("Amendment No.2") is made and entered into this 28th day of June, 2023 by and between the City of Coachella ("City") and CV Pipeline, ("Contractor"). City and Contractor are sometimes individually referred to as "Party" and collectively as "Parties" in this Amendment No.2.

2. Recitals.

2.1 Agreement. City and Contractor entered into that certain Agreement for Landscape Maintenance Service for Storm Drain System Maintenance within Specific LLMD Areas ("Agreement"), entered into on July 22, 2020.

2.2 Amendment. City and Contractor desire to amend the Agreement for the first time to amend the term of the Agreement as set forth in this Amendment No. 2.

3. Amendments.

3.1. Compensation. Section 3.3.1 Compensation. of the Agreement is hereby deleted in its entirety and replaced with the following:

3.3.1 Compensation. Contractor shall receive compensation, including authorized reimbursements, for all Services rendered under this Agreement at the rates set forth in Exhibit "C" attached hereto and incorporated herein by reference. The total compensation shall not exceed **Six Hundred Forty-Nine Thousand Four Hundred Thirty-One Dollars and No Cents (\$649,431.00)**. Extra Work may be authorized, as described below, and if authorized, will be compensated at the rates and manner set forth in this Agreement.

3.2 Continuing Effect of Agreement. Except as amended by this Amendment No.2, all provisions of the Agreement shall remain unchanged and in full force and effect. From and after the date of this Amendment No.2, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this Amendment No.2.

3.3 Adequate Consideration. The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment No.2.

3.4 Counterparts. This Amendment No.2 may be executed in duplicate originals, each of which is deemed to be an original, but when taken together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Amendment.No.2 as of the date first written above.

THE CITY OF COACHELLA

CV PIPELINE

By: _____
Gabriel D. Martin, PhD
City Manager

By: _____

Attest:

City Clerk

Approved as to Form:

Carlos Campos, City Attorney