

THIRD AMENDMENT TO AGREEMENT FOR SERVICES

This THIRD AMENDMENT TO AGREEMENT FOR SERVICES is dated for identification this 4th day of November 2025 and amends that certain Second Amendment to Agreement for Services dated May 6, 2025, made by and between the Town of Los Gatos, ("Town,") and the Brightview Tree Care Services, Inc. ("Service Provider") identified as a C Corporation and whose address is P.O. Box 31001-2643, Pasadena, CA 91110-2463.

RECITALS

- A. Town and Service Provider entered into an Agreement for Services on June 20, 2023, ("Agreement"), a First Amendment to Agreement for Services on April 16, 2024, and a Second Amendment to Agreement for Services on May 6, 2025.
- B. Town desires to amend the Agreement to reduce the compensation for Year 3 Fiscal Year 2025/26.
- C. Town desires to add funding for tree work under the Shannon Road Repair Project (CIP No. 811-0008).

AMENDMENT

1. Section 2.6 Compensation is replaced in its entirety to read:

Year 1 Fiscal Year 2023/24 - \$300,000

Year 2 Fiscal Year 2024/25 - \$215,000

Year 3 Fiscal Year 2025/26 - \$161,115

Year 4 Fiscal Year 2026/27- \$200,000

Year 5 Fiscal Year 2027/28- \$200,000

For a total agreement amount not to exceed \$1,076,115

Compensation is subject to Operating Budget Appropriations. Charges as defined in Exhibit A may be increased annually based on the San Francisco-Oakland-San Jose Metropolitan Area Consumer Price Index for All Urban Consumers, all items (CPI). The adjustment shall be based upon the CPI published on December 31 of the preceding year. If the CPI indicates a downward adjustment, compensation will remain at the base amount. Payment shall be based upon Town approval of each task.

2. All other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the Town and Service Provider have executed this Amendment.

Town of Los Gatos:

Service Provider by:

Chris Constantin, Town Manager

Brandon Steene, Vice President/GM

Department Approval:

Nicolle Burnham
Director of Parks and Public Works

Approved as to Form:

Gabrielle Whelan, Town Attorney