

AMENDMENT TO AGREEMENT

This SECOND AMENDMENT TO AGREEMENT amends that certain agreement titled Agreement for Services dated August 6, 2024, made by and between the Town of Los Gatos, ("Town,") and Frank and Grossman Landscape Contractors, Inc. ("Service Provider"), a Corporation and whose address is 3248 Arden Road, Hayward, CA 94545.

RECITALS

- A. Town and Service Provider entered into an Agreement for Services on August 6, 2024, ("Agreement").
- B. First Amendment to Agreement for Services on August 19, 2025.
- C. The Parties desire to amend the Agreement in order to increase compensation.

AMENDMENT

- A. Section 2.6 Compensation is replaced and amended to read as follows:

Compensation for Year 1 shall not exceed \$202,690.00. Compensation for Year 2 shall not exceed \$205,536.00. Compensation for Year 3 shall not exceed \$211,396.35. Compensation for Year 4 and Year 5 will be the base cost of \$201,205.35 and shall be adjusted upward annually for the remaining term of this agreement by the change, if any, in 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 would remain at the base amount. Payment shall be based upon Town approval of each task.

Year 1 = 10/01/24 - 06/30/25 = \$192,690.00 + 10,000.00 Unforeseen = \$202,690.00

Year 2 = 07/01/25 - 06/30/26 = \$195,345.00 + \$10,191.00 Unforeseen = \$205,536.00

Year 3 = 07/01/26 - 06/30/27 = \$201,205.35 + \$10,191.00 Unforeseen = \$211,396.35

Year 4 = 07/01/27 - 06/30/28 = \$201,205.35 + \$10,191.00 Unforeseen + CPI Increase

Year 5 = 07/01/28 - 06/30/29 = \$201,205.35 + \$10,191.00 Unforeseen + CPI Increase

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

TOWN OF LOS GATOS

FRANK AND GROSSMAN LANDSCAPE CONTRACTORS INC.

SIGNATURE

Chris Constantin

FULL NAME

Town Manager

TITLE

DATE SIGNED

Approved as to form:

SIGNATURE

Gabrielle Whelan

FULL NAME

Town Attorney

TITLE

DATE SIGNED

SIGNATURE

Gary Cooper

CONTRACTOR SIGNATORY'S FULL NAME

Chief Executive Officer

CONTRACTOR SIGNATORY'S TITLE

DATE SIGNED

The execution date is the date on which the last party has signed.