

AMENDMENT TO AGREEMENT

This FOURTH AMENDMENT TO AGREEMENT amends that certain agreement titled Agreement for Services dated June 20, 2023, made by and between the Town of Los Gatos, ("Town,") and Brightview Tree Care Services, Inc. ("Contractor"), a Corporation and whose address is P.O. Box 31001-2643, Pasadena, CA 91110-2463.

RECITALS

- A. Town and Contractor entered into an Agreement for Services on June 20, 2023, ("Agreement").
- B. First Amendment to Agreement for Services on April 16, 2024.
- C. Second Amendment to Agreement for Services on May 6, 2025.
- D. Third Amendment to Agreement for Services on November 4, 2025.
- E. The parties desire to amend the Agreement in order to increase the total compensation for Year 3 Fiscal Year 2025-26.

AMENDMENT

1. Section 2.6 Compensation - is replaced in its entirety and will read:

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

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

Year 3 Fiscal Year 2025/26 - \$202,232

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

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

For a total agreement amount not to exceed \$1,117,232

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.

TOWN OF LOS GATOS

BRIGHTVIEW TREE CARE SERVICES, 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

Brandon Steene

CONTRACTOR SIGNATORY'S FULL NAME

Vice President/GM

CONTRACTOR SIGNATORY'S TITLE

DATE SIGNED

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