

**AMENDMENT NUMBER THREE
TO PROFESSIONAL SERVICES AGREEMENT
WITH
MERCHANTS BUILDING MAINTENANCE, LLC**

This Amendment Number Three ("Amendment") is made and entered into as of the 15th day of September, 2020 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and MERCHANTS BUILDING MAINTENANCE, LLC, a California limited liability company ("Consultant").

WHEREAS, City and Consultant entered into an agreement on September 16, 2014 for Consultant to provide janitorial services for City buildings and the Costa Mesa Senior Center (the "Agreement"); and

WHEREAS, Section 4.1 of the Agreement provides for a term of sixty (60) months, with the option to extend the Agreement for three (3) additional one (1) year periods; and

WHEREAS, on February 3, 2016, City and Consultant added additional services and increased Consultant's compensation accordingly; and

WHEREAS, on September 15, 2019, City and Consultant extended the term through September 15, 2020 and increased Consultant's compensation; and

WHEREAS, City and Consultant now desire to extend the term for one (1) additional year, through September 15, 2021, and to set forth Consultant's maximum compensation for the extended period accordingly; and

WHEREAS, City and Consultant intend and desire that this Amendment be effective retroactive to the Effective Date.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. This Amendment shall be effective retroactive to the Effective Date.
2. The term of the Agreement shall be extended through September 15, 2021.
3. For the period commencing September 16, 2020 and ending September 15, 2021, Consultant's compensation shall not exceed Four Hundred Thirty-Seven Thousand Two Hundred Eighty-Three Dollars and Thirty- Six Cents (\$437,283.36).
4. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
5. All other terms, conditions, and provisions of the Agreement shall remain in full force and effect.
6. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original. All counterparts shall be construed together and shall constitute one agreement. Counterpart written signatures may be transmitted by

facsimile, email or other electronic means and have the same legal effect as if they were original signatures.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first written above.

CITY OF COSTA MESA

Don Amador H

City Manager

Date: 12/16/20

CONSULTANT

[Signature]

Signature

Date: 11.10.2020

George Rodriguez Branch Manager
Name and Title

ATTEST:

Brenda Green 12/22/2020
City Clerk



APPROVED AS TO FORM:

[Signature]

City Attorney

Date: 12-16-20

APPROVED AS TO INSURANCE:

[Signature]

Risk Management

Date: 12/7/20

APPROVED AS TO CONTENT:

[Signature]

Project Manager

Date: 12/14/20


DEPARTMENTAL APPROVAL:



Public Services Director

Date: 12-17-2020

APPROVED AS TO PURCHASING:



Finance Director

Date: November 27, 2020