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File #:	A 14-282	Name:	Smith and Enright Landscape Inc. Renewal and Amendment No. 1
Type:	BoS Agreement	Status:	Consent Agenda
File created:	12/2/2014	In control:	Board of Supervisors
On agenda:	1/27/2015	Final action:	
Title:	Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 1 to the Agreement (A-12138) with Smith and Enright Landscape Inc. for Landscape Maintenance Services at NMC per the Request for Proposals (RFP #9600-19), extending the Agreement an additional 12 month period for a revised term of December 1, 2011 through November 30, 2015 and adding \$98,784 for a revised total aggregate amount not to exceed \$424,771.		
Sponsors:	Sid Cato		
Attachments:	1. <a href="#">Board Report</a> , 2. <a href="#">Smith and Enright Renewal and Amendment No.3 BR.pdf</a> , 3. <a href="#">Smith &amp; Enright Renewal &amp; Amendment # 1.pdf</a> , 4. <a href="#">Smith &amp; Enright Agreement.pdf</a> , 5. <a href="#">Smith Enright Landscape Inc Spend Sheet.pdf</a> , 6. <a href="#">Completed Board Order</a>		

[History \(0\)](#)   
 [Board Report](#)

**Title**

Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 1 to the Agreement (A-12138) with Smith and Enright Landscape Inc. for Landscape Maintenance Services at NMC per the Request for Proposals (RFP #9600-19), extending the Agreement an additional 12 month period for a revised term of December 1, 2011 through November 30, 2015 and adding \$98,784 for a revised total aggregate amount not to exceed \$424,771.

**Report**

**RECOMMENDATION:**

It is recommended the Board of Supervisors authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 1 to the Agreement (A-12138) with Smith and Enright Landscape Inc. for Landscape Maintenance Services at NMC per the Request for Proposals (RFP #9600-19), extending the Agreement an additional 12 month period for a revised term of December 1, 2011 through November 30, 2015 and adding \$98,784 for a revised total aggregate amount not to exceed \$424,771.

**SUMMARY/DISCUSSION:**

Responses to the Request for Proposals (RFP #9600-19) for landscaping maintenance services for Natividad Medical Center were received on August 16, 2011, from seven landscaping contractors. On August 19, 2011 Smith and Enright received the highest ranking from the NMC Selection Committee and the scope and fee schedule was agreed upon in the amount of \$8,232.00 per month. The Agreement received Board of Supervisors approval on November 8, 2011.

Smith and Enright Landscaping have provided General Grounds Maintenance and Landscaping Services for the NMC Campus over the initial term of the Agreement (three years). Services include but are not limited to lawn maintenance, watering and tree pruning and trimming. In addition, Smith and Enright provide maintenance of outside trash/debris removal and grounds keeping support to the NMC engineering staff.

Natividad Medical Center encompasses a very large campus with several patients, visitors and employ...

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## Monterey County

### Board Order

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

#### Agreement No.: A-12138

Upon motion of Supervisor Potter, seconded by Supervisor Parker and carried by those members present, the Board of Supervisors hereby:

Authorized the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 1 to the Agreement (A-12138) with Smith and Enright Landscape Inc. for Landscape Maintenance Services at NMC per the Request for Proposals (RFP #9600-19), extending the Agreement an additional 12 month period for a revised term of December 1, 2011 through November 30, 2015 and adding \$98,784 for a revised total aggregate amount not to exceed \$424,771.

PASSED AND ADOPTED on this 27th day of January 2015, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter

NOES: None

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 77 for the meeting on January 27, 2015.

Dated: January 28, 2015  
File ID: A 14-282

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By Denise Hancock  
Deputy

**RENEWAL AND AMENDMENT NO. 1  
TO PROFESSIONAL SERVICES AGREEMENT  
BETWEEN Smith and Enright Landscape Inc. AND  
THE NATIVIDAD MEDICAL CENTER  
FOR  
Landscape Maintenance Services**

This Renewal and Amendment No. 1 to Professional Services Agreement (“Agreement”), dated December 1, 2011 , is entered into by and between the County of Monterey, on behalf of Natividad Medical Center (“NMC”), and Smith and Enright Landscape Inc. (Contractor), with respect to the following:

**RECITALS**

**WHEREAS**, the County and Contractor entered into the Agreement per the Contractors proposal as part of the Request for Proposals (RFP) #9600-19 for Landscape Maintenance Services, and;

**WHEREAS** the Agreement and the Contractor’s proposal to RFP #9600-19 is attached hereto as Attachment A, and;

**WHEREAS**, the County and Contractor wish to renew and amend the Agreement to extend the term end date to allow for existing services to continue, and;

**WHEREAS**, the County and Contractor wish to renew and amend the Agreement to increase the amount of the Agreement by \$98,784 because of the term extension and the amount payable for services rendered.

**AGREEMENT**

**NOW, THEREFORE**, the parties agree to renew and amend the Agreement as follows:

1. Contractor will continue to provide NMC with the same scope of services as stated in the original Agreement (No. A-12138 / MYA233).
2. Section 5.1 of the Agreement shall be amended by removing, “The Initial term of the AGREEMENT will commence with the signing of the AGREEMENT and be for a period of three (3) years with the option to extend the AGREEMENT two (2) additional one (1) year periods.” and replacing it with “The term of this Agreement is from December 1, 2011 through November 30, 2015 with the option to extend the AGREEMENT one (1) additional, one (1) year period, unless sooner terminated pursuant to this Agreement”.
3. The last sentence of Section 6.1 of the Agreement is amended to read: “*The total amount payable by NMC to CONTRACTOR under this Agreement shall not exceed the sum of \$424,771.00.*”
4. Except as provided herein, all remaining terms, conditions and provisions of the Agreement are unchanged and unaffected by this Renewal and Amendment No. 1 and shall continue in full force and effect as set forth in the Agreement.
5. A copy of this Renewal and Amendment No. 1 shall be attached to the original Agreement (No. A-12138 / MYA233).
6. The effective date of this Renewal and Amendment No. 1 is December 1, 2014.

IN WITNESS WHEREOF, the parties hereto are in agreement with this Amendment on the basis set forth in this document and have executed this Amendment on the day and year set forth herein.

Natividad Medical Center

By: Kelly O'Keefe  
Kelly O'Keefe  
M.D., PhD, FCAP, Interim CEO

Date: 1/30/15

APPROVED AS TO LEGAL PROVISIONS

By: AB  
Anne Brereton  
Monterey County, Deputy County Counsel

Date: 11/4/2014

APPROVED AS TO FISCAL PROVISIONS

By: Gary Giboney  
Gary Giboney  
Monterey County Auditor/Controller's Office

Date: 11-5-14

Contractor

Smith and Enright Landscape, Inc  
Contractor's Business Name\*\*\* (see instructions)

[Signature]  
Signature of Chair, President, or Vice-President

JAMES SMITH, PRESIDENT  
Name and Title

Date: \_\_\_\_\_

By: \_\_\_\_\_  
(Signature of Secretary, Asst. Secretary, CFO,  
Treasurer or Asst. Treasurer)

RICHARD ENRIGHT, TREASURER  
Name and Title

Date: \_\_\_\_\_

\*\*\*Instructions

If CONTRACTOR is a corporation, including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers (two signatures required).

If CONTRACTOR is a partnership, the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership (two signatures required).

If CONTRACTOR is contracting in and individual capacity, the individual shall set forth the name of the business, if any and shall personally sign the Agreement (one signature required)