

**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 Contractor's 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
M.D., PhD, FCAP, Interim CEO

Date: _____

APPROVED AS TO LEGAL PROVISIONS

By: AB
Anne Brereton
Monterey County, Deputy County Counsel

Date: 11/4/2014

APPROVED AS TO FISCAL PROVISIONS

By: [Signature]
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)