

**AMENDMENT NO. 1 TO THE MAINTENANCE SERVICES AGREEMENT
BETWEEN THE CITY OF PALM DESERT
AND HORIZON PROFESSIONAL LANDSCAPE**

1. Parties and Date.

This Amendment No. 1 (“Amendment”) to the **MAINTENANCE SERVICES AGREEMENT** is made and entered into as of **September 25, 2025** by and between the City of Palm Desert, a municipal corporation organized and operating under the laws of the State of California (“City”), and **Horizon Professional Landscape, Inc., A CORPORATION** with its principal place of business at **48727 Charlton Peak, Coachella, CA 92236**, (“Contractor”). City and Contractor are sometimes individually referred to as “Party” and collectively as “Parties.”

1.1 City Council Approval.

On **September 25, 2025**, City Council approved the award of this Amendment to the Contractor above.

2. Recitals.

The Parties entered into an agreement titled **MAINTENANCE SERVICES AGREEMENT**, dated **April 13, 2023** (“Agreement”) for the purpose of retaining the services of **Landscape Maintenance in Area No.6**.

Amendment Authority. This Amendment is authorized pursuant to **Section 3.5.9** of the Agreement.

On July 1, 2024, Change Order No. 1 was executed to include landscape maintenance of a new parking lot and to provide a 3% Consumer Price Index increase totaling an increase of \$35,520.00, which increased total compensation in Section 3.3.1 to \$163,296.00.

3. Terms.

Amendment. The Agreement is hereby amended as follows:

Section **3.3.1**
Compensation.

Contractor shall receive compensation, including authorized reimbursements, for all Services rendered under this Agreement at the rates set forth in Exhibit “C” attached hereto and incorporated herein by reference. The total compensation shall not exceed **One Hundred Sixty-Eight Thousand and 00/100 Dollars (\$168,000.00)** annually without written approval of the City Council or City Manager, as applicable.

Exhibit “**C**”
Compensation.

The total annual compensation shall not exceed **One Hundred Sixty-Eight Thousand and 00/100 Dollars (\$168,000.00)** per fiscal year and may only be adjusted for Consumer Price Index for all Urban Consumers (CPI-U) for the Riverside-San Bernardino-Ontario, CA Region (All Items) rate for the 12-month period ending

March, upon request, with written approval from the City Council or City Manager following FY 2025-26, as applicable.

Continuing Effect of Agreement. Except as amended by this Amendment, all other provisions of the Agreement remain in full force and effect and shall govern the actions of the Parties under this Amendment. From and after the date of this Amendment, whenever the term “Agreement” appears in the Agreement, it shall mean the Agreement as amended by this Amendment.

Adequate Consideration. The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment.

Severability. If any portion of this Amendment is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

Counterparts. This Amendment may be executed in duplicate originals, each of which is deemed to be an original, but when taken together shall constitute but one and the same instrument.

[Signatures on Following Page]

Contract No. _____

**SIGNATURE PAGE TO MAINTENANCE SERVICES AGREEMENT
BY AND BETWEEN THE CITY OF PALM DESERT
AND HORIZON PROFESSIONAL LANDSCAPE, INC.**

IN WITNESS WHEREOF, each of the Parties has caused this Amendment to be executed on the day and year first above written.

<p>CITY OF PALM DESERT</p> <p>By: _____ Chris Escobedo Interim City Manager</p> <p>Attest:</p> <p>By: _____ Anthony J. Mejia City Clerk</p> <p>Approved as to form:</p> <p>By: _____ Isra Shah Best Best and Krieger, LLC City Attorney</p>	<p>HORIZON PROFESSIONAL LANDSCAPE, INC., A CORPORATION</p> <p>By: _____ Rafael Mendoza President</p> <p>By: _____ Eric Mendoza Lee Vice President</p>
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Clerk QC: _____

Contracts QC: _____

Insurance: _____

Initial Review

Final Approval