

**AMENDMENT NO. 1 TO THE MAINTENANCE SERVICES AGREEMENT
BETWEEN THE CITY OF PALM DESERT
AND MARIPOSA LANDSCAPES, INC.**

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 **Mariposa Landscapes, Inc., A CORPORATION** with its principal place of business at **6232 Santos Diaz Street, Irwindale, CA 91702**, (“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. 9**.

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

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 **Three Hundred Sixty-Six Thousand, Three Hundred Seventy and 32/100 Dollars (\$366,370.32)** annually without written approval of the City Council or City Manager, as applicable.

Exhibit “C”
Compensation.

The total annual compensation shall not exceed **Three Hundred Sixty-Six Thousand, Three Hundred Seventy and 32/100 Dollars (\$366,370.32)** 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 rate (All Items) 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 MARIPOSA LANDSCAPES, INC.**

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

CITY OF PALM DESERT By: _____ Chris Escobedo Interim City Manager Attest: By: _____ Anthony J. Mejia City Clerk Approved as to form: By: _____ Isra Shah Best Best and Krieger, LLC City Attorney	MARIPOSA LANDSCAPES, INC., A CORPORATION By: _____ Terry Noriega President By: _____ Antonio Valenzuela Secretary
--	--

Clerk QC: _____

Contracts QC: _____

Insurance: _____

Initial Review

Final Approval