

**FIRST AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF CUPERTINO**  
**AND**  
**IMPEC GROUP INC. FOR 2015 JANITORIAL SERVICES (PROJECT NO. 2015-23)**

This First Amendment to the Contract between the City of Cupertino and IMPEC Group, Inc. for reference dated January 24, 2017, is by and between the CITY OF CUPERTINO, a municipal corporation (hereinafter "City") and IMPEC Group, Inc. whose address 3350 Scott Blvd. Bldg. 8, Santa Clara, CA 95054, and is made with reference to the following:

RECITALS:

- A. On June 16, 2015 a contract was entered into by and between City and Contractor (hereinafter "Contract") for routine janitorial services for various City facilities.
- B. City and Contractor desire to modify the Contract on the terms and conditions set forth herein.

NOW, THEREFORE, it is mutually agreed by and between and undersigned parties as follows:

1. Article 3, paragraph 3.1, of the Contract, "Contract Time" is modified to read as follows:

The Contract Time will commence to run on July 01, 2015. City may give a Notice to Proceed at any time within 30 Days after the Notice of Award. Contractor shall not do any Work at the Site prior to the date on which the Contract Time commences to run.

The term of this contract shall be three (3) years from the start date of the contract. The City shall retain the option to extend the term of the contract on a year-to-year basis not exceeding two (2) years from the expiration date of the original term, for a possible total of five (5) years. Any such renewal after the first three years shall be accomplished by the City providing a written notice of renewal to the Contractor at least 30 days prior to expiration of the term. Any such renewal shall contain the same provisions as the original agreement, including an increase or decrease in material compensation paid to the Contractor based only on the San Francisco Consumer Price Index (CPI-U) for June 2018 as compared to June 2017 and up to \$4200 additional per month for every \$1 increase in minimum wage above \$13.50 per hour.

2. Article 4, paragraph 4.1, of the Contract, "Contract Sum" is modified to read as follows:

City shall pay Contractor the Contract Sum for completion of Work in accordance with Contract Documents as set forth in the completed Schedule of Bid Prices (Document 00400) for all Work completed in calendar year 2016 (Attachment 1, page 1&2).

Compensation to Contractor for completion of Work performed during the periods below in accordance with Contract Documents and the minimum wage requirement shall be as follows:

- a. From January 1, 2017 to June 30, 2017 (6 months) - \$331,170.96 (Attachment 2, page 3);
- b. From July 1, 2017 to December 31, 2017 (six months) - \$341,122.14 (Attachment 3, page 4);
- c. From January 1, 2018 to June 30, 2018 (six months) - \$379,250.96 (Attachment 4, page 5).

The time periods of July 1, 2017 through June 30, 2018 include a fixed price adjustment of 3%. No additional price adjustment will occur as a result of a change the San Francisco CPI-U through June 30, 2018.

3. The above changes were substantially due to Ordinance No. 2151, enacted by the Cupertino City Council on October 4, 2016, wherein the minimum wage was increased from \$10.50/hour to \$12.00/hour beginning on January 1, 2017, and increasing again to \$13.50/hour on January 1, 2018.
4. Except as expressly modified herein, all other terms and covenants set forth in the Contract shall remain the same and shall be in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this modification of Contract to be executed.

CONTRACTOR

By \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

APPROVED AS TO FORM:

CITY OF CUPERTINO  
A Municipal Corporation

By: \_\_\_\_\_  
Title \_\_\_\_\_

RECOMMENDED FOR APPROVAL:

By: \_\_\_\_\_  
Title \_\_\_\_\_

\_\_\_\_\_

City Attorney

ATTEST:

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City Clerk

## Attachment 1

Contract Price July 2015 – December 2016 (Per Contractor submitted Schedule of Bid Prices Document 00400)

ITEM	DESCRIPTION	UNIT	EST QTY	Unit Price/Mon.	Total/year
<b>2015 JANITORIAL SERVICES</b>					
1	Street Side containers	\$	12 Months	\$ 713.66 /Mon.	\$ 8,563.92
2	Blackberry Farm/Retreat Building	\$	12 Months	\$ 2,854.64 /Mon.	\$ 34,255.70
3	City Hall Building	\$	12 Months	\$ 4,400.91 /Mon.	\$ 52,810.87
4	Community Hall Building	\$	12 Months	\$ 1,427.32 /Mon.	\$ 17,127.85
5	Creekside Park Building	\$	12 Months	\$ 713.66 /Mon.	\$ 8,563.92
6	McClellan Ranch Environmental Education Center	\$	12 Months	\$ 1,784.15 /Mon.	\$ 21,409.81
7	Golf Course Restrooms	\$	12 Months	\$ 237.89 /Mon.	\$ 2,854.64
8	Library Building	\$	12 Months	\$ 8,563.92 /Mon.	\$ 102,767.10
9	McClellan Ranch Building & Museum	\$	12 Months	\$ 237.89 /Mon.	\$ 2,854.64
10	Monta Vista Recreation & Pre School Buildings	\$	12 Months	\$ 2,022.04 /Mon.	\$ 24,264.45
11	Park Restrooms	\$	12 Months	\$ 1,784.15 /Mon.	\$ 21,409.81
12	Portal Park Building	\$	12 Months	\$ 237.89 /Mon.	\$ 2,854.64

## Attachment 1

Contract Price July 2015 – December 2016 (Per Contractor submitted Schedule of Bid Prices Document 00400) continued

13	Quinlan Community Center/History Museum Building	\$	12 Months	\$ 6,422.94 /Mon.	\$ 77,075.32
14	Senior Center Building	\$	12 Months	\$ 3,330.42 /Mon.	\$ 39,964.98
15	Service Center Building	\$	12 Months	\$ 1,665.21 /Mon.	\$ 19,982.49
16	Sports Center Building	\$	12 Months	\$ 5,233.51 /Mon.	\$ 62,802.12
17	Wilson Park Building	\$	12 Months	\$ 832.60 /Mon.	\$ 9,991.25
18	M-F Day Porter	\$	12 Months	\$ 4,757.74 /Mon.	\$ 57,092.83
19	Call Back For Unscheduled or Emergency Cleaning (2 hours per month)	\$	12 Months	\$ 70 /Mon.	\$ 840.00
20	Unscheduled Carpet Cleaning (50 square feet per month)	\$	12 Months	\$ 200 /Mon.	\$ 2,400.00
TOTAL/ YEAR:\$ 569,886.36					
Alt. No. 1	Sa-Su Day Porter	\$	12 Months	\$ 1,868.53 /Mon.	\$ 22,422.40

Total Annual Amount: \$592,308.75 (monthly \$49,359.06)

Attachment 2: Contract Price January 2017 – June 2017 (inclusive of \$12.00/hour minimum wage)

ITEM	DESCRIPTION	UNIT	EST QTY	Unit Price/Mon.	Total/6mon.
<b>JANUARY 2017 – JUNE 2017 JANITORIAL SERVICES</b>					
1	Street Side containers	\$	6 Months	\$_798.04_/Mon.	\$_4,788.24____
2	Blackberry Farm/Retreat Building	\$	6 Months	\$_3,192.17_/Mon.	\$_19,153.02____
3	City Hall Building	\$	6 Months	\$_4,921.26_/Mon.	\$_29,527.56____
4	Community Hall Building	\$	6 Months	\$_1,596.08___/Mon.	\$_9,576.48____
5	Creekside Park Building	\$	6 Months	\$_798.04_/Mon.	\$_4,788.24____
6	McClellan Ranch Environmental Education Center	\$	6 Months	\$_1,995.10___/Mon.	\$_11,970.60____
7	Golf Course Restrooms	\$	6 Months	\$_266.02___/Mon.	\$_1,596.12____
8	Library Building	\$	6 Months	\$_9,576.50___/Mon.	\$_57,459.00____
9	McClellan Ranch Building & Museum	\$	6 Months	\$_266.02_/Mon.	\$_1,596.12____
10	Monta Vista Recreation & Pre School Buildings	\$	6 Months	\$_2,261.12___/Mon.	\$_13,566.72____
11	Park Restrooms	\$	6 Months	\$_1,995.10___/Mon.	\$_11,970.60____
12	Portal Park Building	\$	6 Months	\$_266.02_/Mon.	\$_1,596.12____
13	Quinlan Community Center/History Museum Building	\$	6 Months	\$_7,182.37___/Mon.	\$_43,094.22____
14	Senior Center Building	\$	6 Months	\$_3,724.20___/Mon.	\$_22,345.20____
15	Service Center Building	\$	6 Months	\$_1,862.10___/Mon.	\$_11,172.60____
16	Sports Center Building	\$	6 Months	\$_5,852.31___/Mon.	\$_35,113.86____
17	Wilson Park Building	\$	6 Months	\$_931.04_/Mon.	\$_5,586.24____
18	M-F Day Porter	\$	6 Months	\$_5,320.28___/Mon.	\$_31,921.68____
19	Call Back For Unscheduled or Emergency Cleaning (2 hours per month)	\$	6 Months	\$_78.28___/Mon.	\$_469.68____
20	Unscheduled Carpet Cleaning (50 square feet per month)	\$	6 Months	\$_223.65_/Mon.	\$_1,341.90____
<b>TOTAL/ YEAR:\$</b>					
Alt. No. 1	Sa-Su Day Porter	\$	6 Months	\$_2,089.46___/Mon.	\$_12,536.76____

6 Month Total Amount: \$331,170.96 (monthly \$55,195.16)

Attachment 3: Contract Price July 2017 – December 2017 (inclusive of \$12.00/hour minimum wage and 3% CPI increase)

ITEM	DESCRIPTION	UNIT	EST QTY	Unit Price/Mon.	Total/6mon.
<b>JULY 2017 – DECEMBER 2017 JANITORIAL SERVICES</b>					
1	Street Side containers	\$	6 Months	\$_822.02_/Mon.	\$_4,932.12____
2	Blackberry Farm/Retreat Building	\$	6 Months	\$_3,288.09_/Mon.	\$_19,728.54____
3	City Hall Building	\$	6 Months	\$_5,069.14_/Mon.	\$_30,414.84____
4	Community Hall Building	\$	6 Months	\$_1,644.04___/Mon.	\$_9,864.24____
5	Creekside Park Building	\$	6 Months	\$_822.02_/Mon.	\$_4,932.12____
6	McClellan Ranch Environmental Education Center	\$	6 Months	\$_2,055.05___/Mon.	\$_12,330.30____
7	Golf Course Restrooms	\$	6 Months	\$_274.01___/Mon.	\$_1,644.06____
8	Library Building	\$	6 Months	\$_9,864.26___/Mon.	\$_59,185.56____
9	McClellan Ranch Building & Museum	\$	6 Months	\$_274.01_/Mon.	\$_1,644.06____
10	Monta Vista Recreation & Pre School Buildings	\$	6 Months	\$_2,329.06___/Mon.	\$_13,974.36____
11	Park Restrooms	\$	6 Months	\$_2,055.05___/Mon.	\$_12,330.03____
12	Portal Park Building	\$	6 Months	\$_274.01_/Mon.	\$_1,644.06____
13	Quinlan Community Center/History Museum Building	\$	6 Months	\$_7,398.19___/Mon.	\$_44,389.14____
14	Senior Center Building	\$	6 Months	\$_3,836.11___/Mon.	\$_23,016.66____
15	Service Center Building	\$	6 Months	\$_1,918.05___/Mon.	\$_11,508.83____
16	Sports Center Building	\$	6 Months	\$_6,028.16___/Mon.	\$_36,168.96____
17	Wilson Park Building	\$	6 Months	\$_959.02_/Mon.	\$_5,754.12____
18	M-F Day Porter	\$	6 Months	\$_5,480.15___/Mon.	\$_32,880.09____
19	Call Back For Unscheduled or Emergency Cleaning (2 hours per month)	\$	6 Months	\$_80.63___/Mon.	\$_483.78____
20	Unscheduled Carpet Cleaning (50 square feet per month)	\$	6 Months	\$_230.37_/Mon.	\$_1,382.22____
<b>TOTAL/ YEAR:\$</b>					
Alt. No. 1	Sa-Su Day Porter	\$	6 Months	\$_2,152.25___/Mon.	\$_12,913.50____

6 Months Total Amount: \$341,122.14 (monthly \$56,853.69)

Attachment 4: Contract price from January 2018- June 2018 (inclusive of \$13.50/hour minimum wage and no additional CPI increase)

ITEM	DESCRIPTION	UNIT	EST QTY	Unit Price/Mon.	Total/6mon.
<b>JANUARY 2018 – JUNE 2018 JANITORIAL SERVICES</b>					
1	Street Side containers	\$	6 Months	\$_913.90_/Mon.	\$_5,483.40_____
2	Blackberry Farm/Retreat Building	\$	6 Months	\$_3,655.61_____/Mon.	\$_21,933.66_____
3	City Hall Building	\$	6 Months	\$_5,635.74_____/Mon.	\$_33,814.44_____
4	Community Hall Building	\$	6 Months	\$_1,827.80_____/Mon.	\$_10,966.83_____
5	Creekside Park Building	\$	6 Months	\$_913.90_/Mon.	\$_5,483.41_____
6	McClellan Ranch Environmental Education Center	\$	6 Months	\$_2,284.76_____/Mon.	\$_13,708.54_____
7	Golf Course Restrooms	\$	6 Months	\$_304.64_/Mon.	\$_1,827.83_____
8	Library Building	\$	6 Months	\$_10,966.83_____/Mon.	\$_65,800.97_____
9	McClellan Ranch Building & Museum	\$	6 Months	\$_304.64_/Mon.	\$_1,827.83_____
10	Monta Vista Recreation & Pre School Buildings	\$	6 Months	\$_2,589.39_____/Mon.	\$_15,536.37_____
11	Park Restrooms	\$	6 Months	\$_2,284.76_____/Mon.	\$_13,708.54_____
12	Portal Park Building	\$	6 Months	\$_304.64_/Mon.	\$_1,827.83_____
13	Quinlan Community Center/History Museum Building	\$	6 Months	\$_8,255.12_____/Mon.	\$_49,350.73_____
14	Senior Center Building	\$	6 Months	\$_4,264.89_____/Mon.	\$_25,589.32_____
15	Service Center Building	\$	6 Months	\$_2,132.44_____/Mon.	\$_12,794.66_____
16	Sports Center Building	\$	6 Months	\$_6,701.96_____/Mon.	\$_40,211.73_____
17	Wilson Park Building	\$	6 Months	\$_1,066.22_____/Mon.	\$_6,397.29_____
18	M-F Day Porter	\$	6 Months	\$_6,092.69_____/Mon.	\$_36,556.15_____
19	Call Back For Unscheduled or Emergency Cleaning (2 hours per month)	\$	6 Months	\$_89.64_____/Mon.	\$_537.85_____
20	Unscheduled Carpet Cleaning (50 square feet per month)	\$	6 Months	\$_256.12_____/Mon.	\$_1,536.70_____
<b>TOTAL/ YEAR:\$</b>					
Alt. No. 1	Sa-Su Day Porter	\$	6 Months	\$_2,392.81_____/Mon.	\$_14,356.87_____

6 Month Total Amount: \$379,250.96 (monthly \$63,208.49)

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