

**CITY OF TEMECULA  
AGENDA REPORT**

**TO:** City Manager/City Council

**FROM:** Ron Moreno, Director of Public Works/City Engineer

**DATE:** February 25, 2025

**SUBJECT:** Approve Fifth Amendment to Agreement with Nieves Landscape, Inc. for Additional Landscape Maintenance Services

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**PREPARED BY:** Rebecca Kiser, Management Assistant  
Rodney Tidwell, Maintenance Manager

**RECOMMENDATION:** That the City Council approve fifth amendment to the agreement with Nieves Landscape, Inc. to increase contingency for extra work for additional landscape maintenance services, in the amount of \$250,000, for a total agreement \$12,859,202.04.

**BACKGROUND:** On April 10, 2021, City Council approved a Minor Maintenance Agreement for Landscape Maintenance Services with Nieves Landscape, Inc., for Fiscal Year 2021-2022. City Council subsequently approved agreement amendments on August 10, 2021, October 26, 2021, May 24, 2022, June 13, 2023 and May 28, 2024 to approve contingency, include additional scope of services, and extend terms for FY2024-2025 for continued landscape maintenance services for parks, medians, facilities, and perimeter landscaping throughout the city.

Since the approval of the original agreement, Nieves Landscape, Inc., has been requested to perform a variety of extra work tasks to support turf replacement projects, enhanced landscaping at various locations, and perform additional landscape repairs and replacements due to traffic incidents. All extra work, which is in addition to regular maintenance services, is charged to the contingency. At this time, due to the additional extra works tasks, the original contingency allowance has been nearly exhausted, and staff therefore recommends an increase to contingency in the amount of \$250,000 for FY24-25. The additional contingency will help support the ongoing extra work tasks necessary to complete the various projects.

**FISCAL IMPACT:** Adequate funds are available in the Annual Operating Budget (AOB) for Fiscal Year 2024-2025 and in the Capital Improvement Program (CIP) - Fiscal Years 2025-2029.

**ATTACHMENTS:** Fifth Amendment