

AMENDMENT NO. 1 TO CUSTODIAL SERVICES AGREEMENT WITH ANTHESIS

This Amendment No. 1 to the Custodial Service Agreement is made and entered into as of September 28, 2026 ("Effective Date"), by and between the City of Upland, a municipal corporation ("City") and Anthesis, a nonprofit organization ("Consultant"). City and Consultant are sometimes referred to herein individually as a "Party" and collectively as "Parties."

RECITALS

- A. WHEREAS, the City and the Consultant have entered into an agreement, dated August 1, 2023, for the purpose of providing Janitorial Services (the "Original Agreement").
- B. WHEREAS, the Parties now desire to amend the Original Agreement in order to extend the term of the Original Agreement for an additional term of one (1) year, and to revise the compensation schedule to reflect a three percent (3%) increase to the bid item pricing for the continued performance of services in accordance with the compensation provisions of the Original Agreement.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants, conditions, and promises contained in this Amendment No. 1 and the Original Agreement, the Parties mutually agree as follows:

AGREEMENT

1. Incorporation of Recitals. The recitals listed above are true and correct and are hereby incorporated herein by this reference.

2. Term. Effective July 1, 2026, this agreement is between Anthesis and the City of Upland for the extension and expansion of janitorial/portering services to be provided at the following locations: Magnolia Recreation Center located at 651 W. 15th Street, Upland, CA 91786; the Landecena Community Building located at 1325 San Bernardino Road, Upland, CA 91786; the Gibson Senior Center located at 250 N. Third Avenue, Upland, CA 91786. Beginning October 1, 2026 the expansion of services will take effect and include the Upland City Hall located at 460 N. Euclid Avenue, Upland, CA 91786; The Upland Library located at 450 N. Euclid Avenue, Upland, CA 91786. This MOU stipulates conditions of the relationship between Anthesis and the City of Upland for the mutual provision of supported employment services.

3. Compensation. City of Upland agrees to pay the flat monthly rate of \$7,500 for one enclave the months of July, August and September 2026. Starting October 1, 2026 the payment of fees will be the monthly flat rate of \$8,000 per enclave per month

for a total monthly flat rate of \$16,000. The flat monthly rate will increase on January 1, 2027 to the rate of \$8,500 per enclave for a total of \$17,000. This increase is due to State of California minimum wage increases. There is no charge for the services provided by the Job Coach.

4. Labor Code Requirements. If the Services are being performed as part of an applicable "janitorial" project, then pursuant to Labor Code Sections 1420 through 1434, the Consultant and all subconsultants performing such Services must be registered with the Division of Labor Standards and provide required sexual harassment training as specified in Labor Code sections 1423 and 1429.5.

If the Services being performed are part of an applicable "janitorial" project, then pursuant to the California Displaced Janitors Opportunity Act (Labor Code Sections 1060 through 1065), the Contractor shall comply with all applicable requirements of the Act. The Act provides that Contractor shall retain all eligible janitorial employees employed by the prior contractor for a transitional period of at least sixty (60) days under the same wages, hours, and working conditions previously provided, unless otherwise required by law or a collective bargaining agreement. Written notice is to be provided to eligible displaced janitorial employees of their right to transitional employment, the length of the transitional period, and the terms and conditions of employment. At the end of the transitional period, Contractor is to perform a written performance evaluation of each retained employee, and those employees which receive a satisfactory evaluation shall be offered continued employment by the Contractor. Additional recordkeeping and compliance measures apply to the Contractor, and by submitting a proposal the Contractor certifies to their knowledge and acceptance of the requirements of the Act.

5. Full Force. Except as amended by this Amendment No. 1, all provisions of the Original Agreement, including without limitation the indemnity and insurance provisions, shall remain in full force and effect and shall govern the actions of the Parties under this Amendment No. 1.

6. Electronic Transmission. A manually signed copy of this Amendment No. 1 which is transmitted by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Amendment No. 1 for all purposes. This Amendment No. 1 may be signed using an electronic signature.

7. Counterparts. This Amendment No. 1 may be signed in counterparts, each of which shall constitute an original.

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE FOR
AMENDMENT NO. 1 TO THE JANITORIAL/PORTERING SERVICES
SERVICES AGREEMENT WITH ANTHESIS**

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 1 on the Effective Date first herein above written.

CITY OF UPLAND

CONSULTANT

APPROVED BY:

ANTHESIS

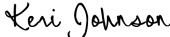
DocuSigned by:

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Michael Blay
City Manager

Signed by:

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Terri Perkins
Director of Employment Programs

ATTEST:

DocuSigned by:

F424A8F6E8E347A...
Keri Johnson
City Clerk

APPROVED AS TO FORM:

Signed by:

0A09505E50C843A...
Best Best & Krieger LLP
City Attorney

EXHIBIT A

Scope of Work

This Scope of Work applies to the janitorial/portering services to be performed at the following locations: Magnolia Recreation Center located at 651 W. 15th Street, Upland, CA 91786; the Landecena Community Building located at 1325 San Bernardino Road, Upland, CA 91786; the Gibson Senior Center located at 250 N. Third Avenue, Upland, CA 91786;

The expanded Scope of Work includes the Upland City Hall located at 460 N. Euclid Avenue, Upland, CA 91786; The Upland Library located at 450 N. Euclid Avenue, Upland, CA 91786.

It is proposed that the two (2) Anthesis enclaves will be transported by the job coaches to and from the worksites on a daily basis. Established services will be conducted within a 5 days a week, 6-hour day timeframe. The City will provide all materials and equipment needed to perform the services indicated below.

- Ensure all entry ways are free of debris
- Clean entry doors
- Maintain cleanliness of lobbies, reception areas, and workstations/cubicles
- Ensure kitchens and breakrooms are cleaned and sanitized
- Empty all site trash cans daily
- Clean City-owned event furniture at specific sites
- Dust and mop all carpet-free areas
- Mop carpet-free areas as necessary or requested
- Remove cobwebs from walls and ceiling surfaces
- Clean baseboards
- Maintain cleanliness of all restrooms which includes walls, floors, fixtures and maintain appropriate stocking levels of supplies
- Report maintenance and/or safety issues to designated City staff members
- Maintain outdoor/common areas as directed and/or requested