

**AMENDMENT NO. 1 TO
MAINTENANCE SERVICES AGREEMENT FOR ASPHALT PAVEMENT REPAIR
SERVICES WITH HARDY & HARPER, INC.**

This Amendment No. 1 to the Maintenance Services Agreement (“Amendment No. 1”) is made and entered into as of June 22, 2026, by and between the City of Upland, a general law city and municipal corporation organized under the laws of the State of California (“City”), and Hardy & Harper, Inc., a California corporation (“Contractor”). City and Contractor are sometimes referred to herein individually as a “Party” and collectively as the “Parties.”

RECITALS

- A. WHEREAS, on August 14, 2023, the City and Contractor entered into a Maintenance Services Agreement for On-Call Asphalt Pavement Repair Services (“the Agreement”); and
- B. WHEREAS, pursuant to Section 3.1.2 of the Agreement, the Parties wish to enter into this Amendment No. 1 to extend the Agreement for an additional one-year term; and
- C. WHEREAS, pursuant to Section 3.1.2 of the Agreement, Contractor timely requested an annual rate adjustment under the Agreement, and the Parties desire to adjust Contractor’s rates consistent with the Agreement.

NOW THEREFORE, in consideration of the mutual promises and undertakings the Parties hereinafter set forth, the Parties to this Amendment No. 1 mutually agree as follows:

- 1. Incorporation of Recitals. The recitals listed above are true and correct and are hereby incorporated herein by this reference.
- 2. Term Extension. The Parties hereby agree to an extension of the Agreement from July 1, 2026, through June 30, 2027 (“Extension Period”).
- 3. Consumer Price Index. The Parties agree that for the Extension Period, Contractor’s compensation rates under the Agreement shall be increased by three percent (3%), effective July 1, 2026.
- 4. Cost. Exhibit C of the Agreement, entitled “FEE SCHEDULE,” is hereby deleted in its entirety and replaced with a new Exhibit “C”, attached hereto and incorporated herein, which reflects the approved three percent (3%) compensation increase to the pricing schedule effective July 1, 2026.

5. Contract Amount: The total not-to-exceed compensation under the Agreement is hereby increased for the Extension Period in an amount as budgeted and approved by the City Council.
6. Full Force. Except as amended by this Amendment No. 1, all provisions of the 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.
7. 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.
8. Counterparts. This Amendment No. 1 may be signed in counterparts, each of which shall constitute an original.

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

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE FOR
AMENDMENT NO. 1 TO MAINTENANCE SERVICES AGREEMENT
FOR ASPHALT SERVICES WITH HARDY & HARPER, INC.**

CITY OF UPLAND

APPROVED BY:

DocuSigned by:
Michael Blay
ED20F9DCC37746A...
Michael Blay, City Manager

ATTESTED BY:

DocuSigned by:
Keri Johnson
F421A8F65DE347A...
Keri Johnson, City Clerk

APPROVED AS TO FORM:

Signed by:
Thomas Rice
0A96303E79C842A...
Best Best & Krieger, LLP
City Attorney

HARDY & HARPER, INC.

Signed by:
[Signature]
By: _____
110507CE08AA496...

Name: Mike Amundson

Title: Vice President

Signed by:
Kristen Paulino
By: _____
47074A0F630647B...

Name: Kristen Paulino

Title: Corporate Secretary

EXHIBIT C

HARDY & HARPER

FEE SCHEDULE

On-Call Asphalt Repair – Standard Pricing – July 1, 2026 Through June 30, 2027

Equipment Breakdown (w/o Labor)	Daily Rate
Flat Bed Truck w/ Compressor Mount	\$339.90
Bob-Tail Truck 9-11 Yards	\$329.60
Concrete Flat Bed Truck	\$309
Dump Truck 9-11 Yards	\$360.50
Air Compressor	\$164.80
Water Truck	\$329.60
Skip Loader (incl trailer)	\$360.50
Flat Bed Truck w/ 3-5 Ton roller combo	\$690.10
Dump Truck w/ Skip Loader & Trailer combo	\$721
10-12 Ton Roller (incl trailer)	\$638.60
3-5 Ton Roller (incl trailer)	\$381.10
Berm Machine (min. charge)	\$1,545
Bobcat w/ bucket	\$257.50
Bobcat w/ grinder	\$319.30

Materials	Unit	Cost
Asphalt (D2-PG 64-10 Mix) in accordance with SSPWC Subsections 203-6 "AC" and 302-5 "AC"	TON	\$97.85
Asphalt (C2-PG 64-10 Mix) in accordance with SSPWC Subsections 203-6 "Asphalt Concrete" and 302-5 "AC"	TON	\$94.76
Asphalt Plant Opening on Saturday	EACH	\$1,030
Crushed Aggregate Base (CAB) per SSPWC Section 200-2.2	CUBIC YARD	\$25.75
Crushed Misc. Base (CMB) per SSPWC Section 200-2.4. Note: Processed Miscellaneous Base will NOT be allowed.	CUBIC YARD	\$15.45
Tack Coat Grade SS-1h per SSPWC Subsection 302-5.4	SQ. FT.	\$1.03
Concrete (3 - 10 C.Y.)	CUBIC YARD	\$200.85
Short Load Charge (less than 3 C.Y.)	EACH	\$721

	Asphalt 4" thick - Remove and Replace (Includes sawcut/grind, tack coat, 95%Comp)	Unit	Unit Price
1	0 – 500	SQ. FT.	\$13.91
2	501 – 2,000	SQ. FT.	\$10.30
3	2,001 – 5,000	SQ. FT.	\$7.21
4	5,001 – 15,000	SQ. FT.	\$4.64
5	15,001 – 30,000	SQ. FT.	\$3.61
	Asphalt 6" thick - Remove and Replace in 2 Lifts (Saw-cut/grind, tack coat, 95% Comp.)	Unit	Unit Price
1	0 – 500	SQ. FT.	\$17.51
2	501 – 2,000	SQ. FT.	\$12.10
3	2,001 – 5,000	SQ. FT.	\$9.53
4	5,001 – 15,000	SQ. FT.	\$5.92
5	15,001 – 30,000	SQ. FT.	\$4.89
	6" Asphalt Berm - Machine	Unit	Unit Price
1	0 – 500	LINEAR FT.	\$12.36
2	501 – 1,000	LINEAR FT.	\$11.33
	8" Asphalt Berm - Machine	Unit	Unit Price
1	0 – 500	LINEAR FT.	\$13.39
2	501 – 1,000	LINEAR FT.	\$12.36
	"T-Cut" Asphalt Grinding – 0.12' Depth w/ 0.12' AC Overlay	Unit	Unit Price
1	0 – 500	SQ. FT.	\$9.79
2	501 – 2,500	SQ. FT.	\$4.64
3	2,501 – 5,000	SQ. FT.	\$3.35

	Striping (Two Coats Paint)	Unit	Unit Price
1	4-inch White Stripe	LINEAR FT.	\$1.18
2	6-inch White Stripe	LINEAR FT.	\$1.49
3	8-inch White Stripe	LINEAR FT.	\$1.80
4	4-inch Yellow Stripe	LINEAR FT.	\$1.18
5	4-inch Double Yellow Stripe	LINEAR FT.	\$2.37
	Striping (Thermoplastic) per Caltrans Std.	Unit	Unit Price

1	12-inch White Crosswalk	SQ. FT.	\$5.15
2	12-inch White "Ladder Style" Crosswalk	SQ. FT.	\$5.15
3	12-inch Yellow Crosswalk	SQ. FT.	\$5.15
4	12-inch Yellow "Ladder Style" Crosswalk	SQ. FT.	\$5.15
5	12-inch White Stop Bar	SQ. FT.	\$5.15
6	Pavement Legend (Arrows, Speed Limit)	EACH	\$206
7	Pavement Legend ("STOP")	EACH	\$309
8	Pavement Legend ("STOP AHEAD")	EACH	\$309
9	Pavement Legend ("KEEP CLEAR")	EACH	\$309
10	Pavement Legend ("SIGNAL AHEAD")	EACH	\$360.50
11	Pavement Legend ("SLOW SCHOOL XING")	EACH	\$412
12	Pavement Legend (Railroad Crossing Symbol)	EACH	\$206
13	Pavement Legend (Bike Lane Symbol)	EACH	\$206

	A.C. Cap Over Existing (Skin Patch) (1" - 1.25" Nominal Thickness)	Unit	Unit Price
1	0 – 1,000	SQ. FT.	\$11.85
2	1,001 – 5,000	SQ. FT.	\$9.79
3	5,001 – 10,000	SQ. FT.	\$7.73
4	10,001 + S.F.	SQ. FT.	\$5.67
	Slurry Seal – Type 1	Unit	Unit Price
1	0 – 1,000	SQ. FT.	\$5.30
2	1,001 – 5,000	SQ. FT.	\$2.94
3	5,001 – 10,000	SQ. FT.	\$1.49
4	10,001 + S.F.	SQ. FT.	\$0.67
	Slurry Seal – Type 2	Unit	Unit Price
1	0 – 1,000	SQ. FT.	\$5.30
2	1,001 – 5,000	SQ. FT.	\$2.99
3	5,001 – 10,000	SQ. FT.	\$1.55
4	10,001 + S.F.	SQ. FT.	\$0.77