



Official Cleaning Company of The PGA of America

**RIDER TO THE MAINTENANCE AGREEMENT BETWEEN  
DANA POINT CONDOMINIUMS and OPPORTUNITY FRANCHISING, INC., d/b/a  
JANI-KING OF ILLINOIS, INC.**

This RIDER dated this 23<sup>rd</sup> day of July, 2012, is entered into in contemplation of and in conjunction with the Maintenance Agreement for Janitorial Services dated July 23, 2012 ("Agreement") by and between DANA POINT CONDOMINIUMS ("Association") and OPPORTUNITY FRANCHISING, INC. d/b/a JANI-KING OF ILLINOIS, INC. ("Contractor"). The terms and conditions of this Rider shall supercede any contradictory terms and conditions contained in the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, the parties hereto agree as follows:

- R1. The Contractor hereby represents and warrants to the Association the following:**
- a. That the Contractor maintains its principle place of business at 2900 Golf Road, Rolling Meadows, Illinois 60008.**
  - b. That the Contractor is duly licensed and authorized to do business in the State of Illinois.**
  - c. That the Contractor's execution of the Agreement and its performance thereof is within its duly authorized powers.**
  - d. That the Contractor agrees that the representations contained within this Paragraph R1 shall survive the execution and delivery of the agreement.**
- R2. Contractor shall perform its work in strict accordance with all applicable codes and regulations of the Village of Arlington Heights and State of Illinois.**
- R3. DELETED: Client warrants that the premises are free of ASBESTOS, hazardous materials, and hazardous waste materials & holds JK harmless from any and all liability for its personnel's exposure to such hazardous or harmful conditions.**
- R4. Paragraph VII (b) of the Agreement shall be deleted in its entirety and replaced with the following phrase:**

**Paragraph 7 is hereby deleted in its entirety and replaced with the following:**

**7. Termination. A. The term of this Agreement shall be for one (1) year, commencing on the Effective Date hereof. Otherwise, this Agreement may only be terminated as set forth in Section B below.**

**B. The Association may terminate this Agreement with or without cause, without payment of a penalty, termination, or cancellation fee, by giving Contractor at least 30 days written notice. Said notice shall be sent certified mail, return receipt requested and shall be deemed effective upon Contractor's receipt of said notice, or three business days after the post mark date, whichever occurs first."**



13



Official Cleaning Company of The PGA of America

- R10. Contractor will provide the Association with a certificate of insurance naming the Association as a third party insured before work begins and shall periodically provide the Association, upon reasonable request, with an updated copy of its certificate of insurance reflecting the Association as an insured party.

Contractor shall maintain at all times during the term of this Agreement and for one year thereafter the following insurance coverage and any other additional insurance and/or bonds required by law: Commercial General Liability insurance with limits of at least \$1,000,000 per occurrence for bodily injury or death and property damage liability and at least \$2,000,000 General Policy Aggregate (applicable to Commercial General Liability Policies); and Worker's Compensation insurance in the amount of statutory limits. The Association shall be named as an additional insured on all Commercial Liability policies. At no time shall any employee or agent of Contractor come on to the Association's Property without any and all of the foregoing insurance coverage in place.

- R11. In the event of a conflict between this Rider and other contract documents, the terms of this Rider shall control.

DANA POINT CONDOMINIUMS,

Date: 9/28/12

By: [Signature]

Print Name: Ayla Smith

Title: President

OPPORTUNITY FRANCHISING, INC.  
d/b/a JANI-KING OF ILLINOIS,

Date: 9-28-12

By: [Signature]

Print Name: Judi Maggiori

Title: VICE PRESIDENT