

**FOURTH AMENDMENT
TO PROFESSIONAL SERVICES AGREEMENT
WITH
WEST COAST ARBORISTS, INC.**

This Fourth Amendment ("Amendment") is made and entered into this 20th day of April, 2018 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and WEST COAST ARBORISTS, INC., a California corporation ("Consultant").

WHEREAS, City and Consultant entered into an agreement on October 1, 2012 for Consultant to provide tree maintenance services, including trimming, pruning, planting and removal (the "Agreement"); and

WHEREAS, in May 2014, City and Consultant executed a change order for One Hundred Thousand Dollars (\$100,000.00) to provide for a one-time tree planting program; and

WHEREAS, on February 1, 2016, City and Consultant amended the Agreement to increase Consultant's maximum annual compensation to permit Consultant to provide additional tree maintenance services to support the City's Parkway Maintenance Capital Improvement Program and to continue to provide tree maintenance services, including prompt removal of dead trees, emergency services during or following storms, and preventive maintenance, throughout the year; and

WHEREAS, on July 1, 2016, City and Consultant increased Consultant's maximum annual compensation to reflect a Consumer Price Index increase of one and a half percent (1.5%); and

WHEREAS, on July 18, 2017, City and Consultant extended the term of the Agreement through September 30, 2018, amended the Scope of Services, and increased Consultant's maximum annual compensation accordingly; and

WHEREAS, City requires additional tree trimming services, and desires to increase Consultant's maximum annual compensation accordingly by Fifty Thousand Dollars (\$50,000.00).

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Section 2.1 of the Agreement shall be amended to reflect that Consultant's total annual compensation shall not exceed Seven Hundred Twenty-Six Thousand Two Hundred Five Dollars and Five Cents (\$726,205.05).
2. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
3. All other terms, conditions, and provisions of the Agreement, as amended, not in conflict with this Amendment shall remain in full force and effect.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first written above.

CITY OF COSTA MESA

Amanda S. Letourneau Date: 5/4/18
for City Manager *Acting City Manager*

CONSULTANT

[Signature] Date: 4/24/18
Signature
Richard Mahoney, Secretary
Name and Title

ATTEST:

Brenda Green 5/11/18
City Clerk



APPROVED AS TO FORM:

[Signature] Date: 05/04/18
City Attorney

APPROVED AS TO INSURANCE:

[Signature] Date: 5/4/18
Risk Management

APPROVED AS TO CONTENT:

[Signature] Date: 05-02-2018
Project Manager

DEPARTMENTAL APPROVAL

Raja Sethuram
Public Services Director

Date: 5-2-18

APPROVED AS TO PURCHASING:

Christine Tsao for
Interim Finance Director

Date: 5-8-18