

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

This Third Amendment ("Amendment") is made and entered into this 18th day of July, 2017 ("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 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, Section 4.1 of the Agreement provides for a term of five (5) years, with the option to extend the Agreement for three (3) additional one (1) year periods; and

WHEREAS, City and Consultant desire to extend the term for one (1) year, through September 30, 2018; and

WHEREAS, City desires for Consultant to provide tree and stump removal services, as set forth in Exhibit "A," attached hereto and incorporated herein by this reference; and

WHEREAS, City and Consultant desire to increase Consultant's maximum annual compensation accordingly by One Hundred Sixty-Four Thousand One Hundred Fifty-Five Dollars and Five Cents (\$164,155.05).

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

1. The term of the Agreement shall be extended through September 30, 2018.
2. Consultant shall provide the tree and stump removal services set forth in Exhibit A.
3. Section 2.1 of the Agreement shall be amended to reflect that Consultant's total annual compensation shall not exceed Six Hundred Seventy-Six Thousand Two Hundred Five Dollars and Five Cents (\$676,205.05). Consultant shall be paid according to the fee schedule set forth in the Second Amendment to the Agreement.

4. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.

5. All other terms, conditions, and provisions of the Agreement, as amended, not in conflict with this Amendment shall remain in full force and effect.

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

*[Signature]*  
City Manager

Date: 9/1/17

CONSULTANT

*[Signature]*  
Signature  
Patrick Mahoney, President  
Name and Title

Date: 8/4/17

ATTEST:

*[Signature]*  
City Clerk



APPROVED AS TO FORM:

*[Signature]*  
City Attorney

Date: 08/30/17

APPROVED AS TO INSURANCE:

*[Signature]*  
Risk Management

Date: 8/10/17

APPROVED AS TO CONTENT:

*[Signature]*  
Project Manager

Date: 8/10/2017

DEPARTMENTAL APPROVAL

Reja Selvarana  
Public Services Director

Date: 8/16/17

APPROVED AS TO PURCHASING:

Stephen Mumwalt  
Interim Finance Director

Date: 8.29.17

**EXHIBIT A**

**TREE AND STUMP REMOVAL SERVICES**

Proposal 45600

State Contractors License #366764  
 Liability Insured



West Coast Arborists, Inc.  
 2200 E. Via Burton St.  
 Anaheim, CA 92806  
 (P) 800.521.3714 (E) 714.991.7844

**PROFORMA FOR TREE MAINTENANCE SERVICES**

<b>CUSTOMER:</b> CITY OF COSTA MESA	<b>INV. NEEDED:</b> Yes
<b>MAIN CONTACT:</b> ARASH RAHIMIAN	<b>BILLING CONTACT:</b> ARASH RAHIMIAN
<b>ADDRESS:</b> 77 FAIR DR COSTA MESA, CA 92626	<b>ADDRESS:</b> 77 FAIR DR COSTA MESA, CA 92626
<b>PHONE/FAX:</b> (714) 754-5096 / -	<b>PHONE/FAX:</b> (714) 754-5096 / -
<b>EMAIL:</b> <a href="mailto:ARASH.RAHIMIAN@costamesaca.gov">ARASH.RAHIMIAN@costamesaca.gov</a>	<b>EMAIL:</b> <a href="mailto:ARASH.RAHIMIAN@costamesaca.gov">ARASH.RAHIMIAN@costamesaca.gov</a>
<b>JOB LOCATION:</b> Arlington Drive	
<b>JOB DESCRIPTION:</b> Tree & Stump Removal (118) Trees	

QTY	DESCRIPTION	U/M	U/P	TOTAL
79	Tree & Stump Removal 0-12 DSH	Inch	\$15.25	\$1,204.75
3101	Tree & Stump Removal > 12 DSH	Inch	\$20.30	\$62,950.30

GRAND TOTAL: \$64,155.05

<b>COMMENTS:</b> Prices based on current contract	
<b>ESTIMATED BY:</b> RANDY THOMPSON	<b>Date:</b> 6/6/2017
<b>ACCEPTED BY:</b>	<b>Date:</b>