

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

This Sixth Amendment ("Amendment") is made and entered into this 30th day of September, 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, 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, the Agreement permits an annual increase in Consultant's compensation for tree maintenance services based on an increase in the cost of living as determined by the Consumer Price Index (CPI) for urban consumers for the prior year; 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 for tree maintenance services to reflect a CPI 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, on April 20, 2018, City and Consultant amended the Scope of Services and increased Consultant's maximum compensation accordingly; and

WHEREAS, on July 1, 2018, City and Consultant increased Consultant's maximum annual compensation to reflect a CPI increase of two point eight percent (2.8%); and

WHEREAS, City and Consultant now desire to extend the term for one (1) additional year, through September 30, 2019.

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, 2019.
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.

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.

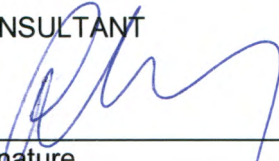
CITY OF COSTA MESA



City Manager

Date: 10/10/18

CONSULTANT




Signature

Date: 9/24/18

Patrick Mahoney, President
Name and Title

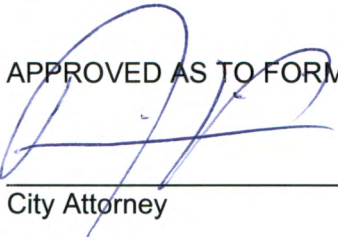
ATTEST:



City Clerk



APPROVED AS TO FORM:



City Attorney

Date: 10/19/18

APPROVED AS TO INSURANCE:



Risk Management

Date: 10/21/18

APPROVED AS TO CONTENT:

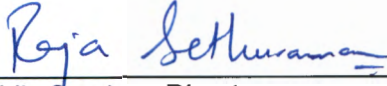


Project Manager

Date:

10/02/2018

DEPARTMENTAL APPROVAL:



Public Services Director

Date:

10-2-18

APPROVED AS TO PURCHASING:



Finance Director

Date:

10/4/18