

AMENDMENT NO. 6 TO
WEST COAST ARBORISTS, INC.
TREE SERVICES AND MAINTENANCE WITHIN LANDSCAPE MAINTENANCE ASSESSMENT
DISTRICT / PARKS / STREETS WITHIN THE CITY OF YORBA LINDA

THIS AMENDMENT No. 6 is made and entered into this 1st day of July, 2022, by and between the City of Yorba Linda, 4845 Casa Loma Avenue, Yorba Linda, California 92886, a municipal corporation of the State of California (hereinafter referred to as “City”), and **West Coast Arborists, Inc., 2200 E. Via Burton St., Anaheim, CA 92806** (hereinafter referred to as “Contractor”).

WITNESSETH:

WHEREAS, the City and the Contractor entered into an Agreement for Tree Services and Maintenance within Landscape Maintenance Assessment District / Parks/ Streets within the City of Yorba Linda as per the original Agreement dated June 29, 2016; and

WHEREAS, the City and the Contractor entered into Amendment No. 1 to the original agreement dated June 1, 2019; and

WHEREAS, the City and the Contractor entered into Amendment No. 2 to the original agreement dated December 17, 2019; and

WHEREAS, the City and Contractor entered into Amendment No. 3 to the original agreement dated June 1, 2020; and

WHEREAS, the City and Contractor entered into Amendment No. 4 to the original agreement dated April 20th, 2021, to increase the compensation of the agreement based upon CPI for the preceding year for unit costs and a corresponding increase in the total compensation in the Agreement for the one-year renewal period, and extend the term of the agreement from June 1, 2021 to May 31, 2022; and

WHEREAS, the City and Contractor entered into Amendment No. 5 to the original agreement dated April 22nd, 2022, to increase the compensation of the agreement by Seventy-Five Thousand Dollars (\$75,000) for provision of additional services, and extend the term of the agreement from May 31, 2021 to June 30, 2022; and

WHEREAS, the City intends to extend the agreement for a one (1) year additional term from July 1, 2022 through June 30, 2023 pursuant to the City’s Council Approval, and allow for an additional (1) year term extension for a term from July 1, 2023, through June 30th, 2024 ; and

WHEREAS, the City and Contractor mutually agreed to an updated schedule of compensation for the additional one (1) year term, which will be incorporated into the Agreement and Sixth Amendment as an attachment; and

WHEREAS, the City intends to amend the total compensation of the Agreement by an additional One Million Three Hundred Fifty-Two Thousand Three Hundred Seventy Dollars (\$1,352,370) for services rendered through June 30, 2023, which represents an approximate eight and a half percent (8.5%) increase in compensation beyond the preceding annual contract amount; and

NOW, THEREFORE, in consideration of mutual promises and covenants herein, the Parties agree to extend and amend the Agreement as follows:

1. Section 3.1.2, Term of the Agreement, is amended to allow for up to (2) additional consecutive one-year term renewals, at the unilateral option and sole discretion of the City.
2. The Term specified in Amendment No. 5 shall be extended for an additional one-year period from July 1, 2022 to June 30, 2023.
3. In accordance with Section 3.3.1 Compensation of the Agreement, the schedule of fees as incorporated into the Agreement are amended to include and incorporate the revised fee schedule attached hereto as Attachment "A-2" for the additional one-year service period from July 1, 2022, through June 30, 2023. The total compensation for services from July 1, 2022, through June 30, 2023 shall not exceed One Million Three Hundred Fifty-Two Thousand Three Hundred Seventy Dollars (\$1,352,370).
4. The total compensation for the second potential one (1) year term of the agreement from July 1, 2023 through June 30, 2024, may be increased upon renewal to reflect a not-to-exceed Consumer Price Index (CPI) change in cost, or seven percent (7.0%) increase, whichever is less. Further, the rates may be adjusted each renewal year on July 1, 2023, provided that the City elects to renew the agreement for an addition term in its sole discretion, and upon written request for an increase from Contractor one-hundred twenty (120) days prior to July 1, all based upon the percentage change in the CPI for All Urban Consumers for the Los Angeles-Riverside-Orange County Metropolitan Area ("Index") published by the United States Department of Labor, Bureau of Statistics for the preceding year (December to December) calculated to the nearest one cent.
5. Except as amended pursuant to this Amendment No. 6, all provisions of the Agreement shall remain in full force and effect, and shall govern the services provided under this Amendment No. 6.

[SIGNATURES ON FOLLOWING PAGE]

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CITY OF YORBA LINDA

Dated: _____

By: _____

Mark A. Pulone

City Manager

ATTEST:

Marcia Brown

City Clerk

Dianna Honeywell

Finance Director/ City Treasurer

WEST COAST ARBORISTS, INC.

APPROVED AS TO FORM:
RUTAN & TUCKER LLP

By: _____

(Print)

(Signature)

Todd Litfin
City Attorney

Title: _____

Dated: _____

Attachment "A-2"

City of Yorba Linda

Tree Maintenance Services provided by West Coast Arborists, Inc.

FY 2022-2023 Rate Schedule (July 1, 2022 - June 30, 2023)

LMAD / Parks / Public Works			
	Service Description	Unit	Rate/ Unit Cost*
1	Grid Prune 0-12 DBH	Each	\$60.00
2	Grid Prune 13-24 DBH	Each	\$80.00
3	Grid Prune 25+ DBH	Each	\$150.00
4	Service Request Prune	Each	\$188.00
5	Service Request Response	Each	\$210.00
6	Service Request Full Prune	Each	\$280.00
7	Complete Removal 0-12 DBH	Each	\$280.00
8	Complete Removal 13-24 DBH	Each	\$410.00
9	Complete Removal 25+ DBH	Each	\$900.00
10	LMAD Complete Removal	Inch	\$35.00
11	LMAD Slope Removal	Inch	\$35.00
12	Slope Tree Removal 0-12 DBH	Each	\$280.00
13	Slope Tree Removal 13-24 DBH	Each	\$410.00
14	Slope Tree Removal 25+ DBH	Each	\$900.00
15	Stump Grinding	Inch	\$20.00
16	Plant 15 Gal in Cut Out	Each	\$260.00
17	Plant 15-gal tree	Each	\$170.00
18	Plant 24" box tree	Each	\$350.00
19	Plant 36" box tree	Each	\$1,000.00
20	Tree Watering	Man Hour	\$94.00
21	Consulting Arborist Services	Man Hour	\$155.00
22	Crew Rental	Man Hour	\$94.00
23	Emergency Response	Man Hour	\$120.00

FISCAL YEAR 2022-2023 AGGREGATE NOT-TO-EXCEED CONTRACT AMOUNT: **\$1,352,370**

*The updated unit prices listed shall be in effect during the FY2022-2023 (July 1, 2022 - June 30, 2023). These rates shall be utilized as a basis for a potential future term rate, which may be increased via future amendment. Any increase to these rates shall be based upon agreed CPI increases, up to a not to exceed increase of 7% for both individual line-item rates and the aggregate annual amount.