

**AMENDMENT NUMBER ONE
TO PROFESSIONAL SERVICES AGREEMENT
WITH
ENDEMIC ENVIRONMENTAL SERVICES INC.**

This Amendment Number One ("Amendment") is made and entered into this 2nd day of October, 2018 ("Effective Date"); by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and ENDEMIC ENVIRONMENTAL SERVICES INC., a California corporation ("Consultant").

WHEREAS, City and Consultant entered into an agreement on April 4, 2017 for Consultant to provide biological, management and maintenance services at Fairview Park (the "Agreement"); and

WHEREAS, City and Consultant desire to amend the Scope of Services as set forth in Exhibit "A," attached hereto and incorporated herein by this reference; and

WHEREAS, City desires to increase Consultant's maximum compensation accordingly to Nine Hundred Fifty Thousand Dollars (\$950,000.00).

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

1. The Scope of Services shall be amended as set forth in Exhibit A.
2. Section 2.1 of the Agreement shall be amended to reflect that Consultant's total compensation shall not exceed Nine Hundred Fifty Thousand Dollars (\$950,000.00). Consultant shall be paid according to the fee schedule set forth in Exhibit "B," attached hereto and incorporated herein by this reference.
3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
4. All other terms, conditions, and provisions of the Agreement 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

Thomas R. Hatley
City Manager

Date: 10/16/18

CONSULTANT

B. Nerhus
Signature
Barry Nerhus President
Name and Title

Date: 10/8/2018

ATTEST:

Brenda Que 10/17/18
City Clerk



APPROVED AS TO FORM:

[Signature]
City Attorney

Date: 10/15/18

APPROVED AS TO INSURANCE:

[Signature]
Risk Management

Date: 10/9/18

APPROVED AS TO CONTENT:

Capitain D'Agostin
Project Manager

Date: 10/9/18


DEPARTMENTAL APPROVAL:



Parks and Community Services
Director

Date: 10/10/18

APPROVED AS TO PURCHASING:



Finance Director

Date: 10/11/18

EXHIBIT A
AMENDED SCOPE OF SERVICES



Endemic Environmental Services

MODIFIED ANNUAL SCHEUDLE FOR ENDEMIC ENVIRONMENTAL SERVICES AT FAIRVIEW PARK OCTOBER 1, 2018 – APRIL 30, 2020

1. Quarterly Biological reports-hardcopy and electronic quarterly photographic records for the 17-acre FVP Wetlands site and final year of five-year Biological Reports-hardcopy and electronic: **March, June, September, December.**
2. Quarterly Biological reports-hardcopy and electronic quarterly photographic records for the 3-acre grassland and oak tree restoration site, second year of contract: **March, June, September, December.**
3. On site **PM 15 hrs. week** maintenance/monitoring park for:
 - a. Identifying landscape maintenance needs
 - b. Vandalism
 - c. Non-native issues in restoration areas
 - d. Trespassing in restoration areas
4. Provide maintenance services for 3 acres' grasslands and oak; 2 acres' tar plant- **15 hrs. per week**
5. Four seasonal tours (bird nesting, vernal pool, wetland/riparian, history)
6. Not to exceed \$25,000 for various as-needed environmental studies and bird-nesting surveys over the two-year term of the contract. **As needed.**
7. Consultation with staff weekly as required. **As needed.**
8. Requests for biological monitoring *outside* of Fairview Park
9. Assist with vernal pool restoration program
10. Biological monitoring for FVP Native habitat establishment, maintenance, and monitoring
11. Provide **Daily** maintenance services for wetland ponds and channels, **30 hours per week:**
 - a. Channel observation for issues with interrupted water flow, pump station functionality and non-native species.
 - b. Resolutions to insure appropriate flows
 - c. Algae management
 - d. Cattail and bulrush management
 - e. As needed water quality testing
 - f. Ensure environmental compliance with habitat management
 - g. Multi-agency coordination
 - h. Contractor coordination
 - i. Data management: staff coordination, maps, photos

EXHIBIT B
FEE SCHEDULE



Endemic Environmental Services

FEE SCHEUDLE FOR ENDEMIC ENVIRONMENTAL SERVICES AT FAIRVIEW PARK OCTOBER 1, 2018 – APRIL 30, 2020 (19 months)

Tasks # 1-10 = \$13,000 month /	\$247,000.00
Task # 11 = \$12,000 month /	\$228,000.00
TOTAL = \$25,000.00 month /	\$475,000.00

If there are any further questions, please feel free to contact me.

Sincerely,

Barry Nerhus
President/Ecologist
Endemic Environmental Services, Inc.
(714) 393-6249
bnerhus@endemicenvironmental.net