

**AMENDMENT NUMBER FOUR TO  
MAINTENANCE SERVICES AGREEMENT  
WITH  
WEST COAST ARBORISTS, INC.**

This Amendment Number Four ("Amendment") is dated the 10<sup>th</sup> day of October, 2023 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City") and WEST COAST ARBORISTS, INC., a California corporation ("Contractor").

WHEREAS, City and Consultant entered into a Maintenance Services Agreement dated October 1, 2019 for Contractor to provide tree maintenance services (the "Agreement"), by piggybacking onto the Encinitas Contract; and

WHEREAS, the Agreement provided an initial term through November 30, 2021, with the option for the City to extend the term for one (1) successive two (2) year period, contingent upon an extension to the Encinitas Contract; and

WHEREAS, the Encinitas Contract was extended for a period of three (3) years, through January 8, 2025; and

WHEREAS, on November 30, 2021, City and Contractor entered into Amendment Number One which extended the term for two (2) years, through November 30, 2023; and

WHEREAS, on February 17, 2021, City and Contractor entered into Amendment Number Two which increased prices and increased Contractor's maximum annual compensation to an amount not to exceed Six Hundred Twenty-Eight Thousand Six Hundred Seventy-Nine Dollars and Four Centers (\$628,679.04).

WHEREAS, on February 21, 2023, City and Contractor entered into Amendment Number Three to increase Contractor's maximum compensation by One Hundred and Fifty Thousand Dollars (\$150,000.00) for a total compensation not to exceed Seven Hundred Seventy-Eight Thousand Six Hundred and Seventy-Nine Dollars and Four Cents (\$778,679.04).

WHEREAS, City and Contractor desire to extend the term of the Agreement through November 30, 2024.


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 November 30, 2024.

2. All terms not defined herein shall have the same meaning and use as set forth in the Agreement, as amended.
3. All other terms, conditions, and provisions of the Agreement, as amended, shall remain in full force and effect.
4. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original. All counterparts shall be construed together and shall constitute one agreement.

**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 above written.

**CONTRACTOR**

  
\_\_\_\_\_  
Patrick Mahoney, President  
West Coast Arborists, Inc.

Date: 10/12/23

**CITY OF COSTA MESA**

  
\_\_\_\_\_  
Lori Ann Farrell Harrison  
City Manager

Date: 12/12/2023

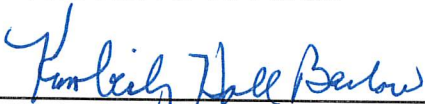
**ATTEST:**

  
\_\_\_\_\_  
Brenda Green  
City Clerk




Date: 12/12/2023

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Kimberly Hall Barlow  
City Attorney


Date: 12/15/23

APPROVED AS TO INSURANCE:

  
\_\_\_\_\_  
Risk Management

Date: 11/17/23

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Project Manager


Date: 11/27/2023

DEPARTMENTAL APPROVAL:

  
\_\_\_\_\_  
Robert Ryan  
Maintenance Services Manager

Date: 11/27/2023

APPROVED AS TO PURCHASING:

  
\_\_\_\_\_  
Carol Molina  
Finance Director

Date: Nov. 17, 2023