

OFFICE OF THE CITY ATTORNEY  
DAWN MCINTOSH, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Long Beach, CA 90802-4511

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FOURTH AMENDMENT TO AGREEMENT NO. 35545

35545

THIS FOURTH AMENDMENT TO AGREEMENT NO. 35545 is made and entered, in duplicate, as of June 12, 2023, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on June 6, 2023, by and between GREAT SCOTT TREE SERVICE, INC., a California corporation ("Contractor"), with a place of business at 10761 Court Ave., Stanton, CA 90680, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Contractor (the "Parties") entered into Agreement No. 35545 (the "Agreement") whereby Contractor agreed to provide as-needed tree trimming, removal, planting, inventory, and stump grinding services for parks, beach areas, marinas, and open space areas for the Parks, Recreation and Marine Department; and

WHEREAS, the Department of Public Works requires tree trimming services for the Colorado Lagoon Open Channel Phase 2A Project; and

WHEREAS, the Public Works Project needed to be completed before January 1, 2021, which is outside of bird nesting season; and

WHEREAS, the Parties entered into a First Amendment to add \$60,000 to the Agreement for the Public Works Project for a total not to exceed amount of \$1,030,025 for the term ending March 31, 2021; and

WHEREAS, the Parties entered into a Second Amendment to extend the term of the Agreement one (1) additional one-year period and amend Exhibit "B" to add rates to be applicable for the term ending March 31, 2023; and

WHEREAS, the Parties entered into a Third Amendment to extend the term of the Agreement one (1) additional one-year period and amend Exhibit "B" to add rates to be applicable for the term ending March 31, 2024; and

WHEREAS, the Parties desire to increase the annual contract amount by One Million Nine Hundred Forty Nine Thousand Thirty Dollars (\$1,949,030), with a fifteen percent (15%) contingency in the amount of Two Hundred Ninety Two Thousand Three

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1 Hundred Fifty-Five Dollars (\$292,355) for a revised total annual contract amount not to  
2 exceed Three Million Two Hundred Eleven Thousand Four Hundred Ten Dollars  
3 (\$3,211,410), for the term ending March 31, 2024.

4 NOW, THEREFORE, in consideration of the mutual terms, covenants, and  
5 conditions herein contained, the Parties agree as follows:

6 1. Section 1.A. of the Agreement is hereby amended to read as follows:

7 "A. Contractor shall furnish specialized services more particularly  
8 described in Exhibit "A", attached to the Agreement and incorporated by this  
9 reference, which was submitted in response to City's RFP, in accordance with the  
10 standards of the profession, and City shall pay for these services in the manner  
11 described below, in an annual amount not to exceed Eight Hundred Forty Three  
12 Thousand Five-Hundred Dollars (\$843,500), with a fifteen percent (15%)  
13 contingency in the amount of One Hundred Twenty Six Thousand Five Hundred  
14 Twenty Five Dollars (\$126,525), for a total annual contract amount not to exceed  
15 Nine Hundred Seventy Thousand Twenty Five Dollars (\$970,025), for a period of  
16 four years, with the option to renew for one additional one-year period, at the rates  
17 or charges shown in Exhibit "B". An additional Sixty Thousand Dollars (\$60,000) is  
18 added to the term ending March 31, 2021 for a total not to exceed annual amount  
19 of One Million Thirty Thousand Twenty-Five Dollars (\$1,030,025). An additional  
20 One Million Nine Hundred Forty Nine Thousand Thirty Dollars (\$1,949,030), with a  
21 fifteen percent (15%) contingency in the amount of Two Hundred Ninety Two  
22 Thousand Three Hundred Fifty-Five Dollars (\$292,355) is added to the term ending  
23 March 31, 2024 for a revised total annual contract amount not to exceed Three  
24 Million Two Hundred Eleven Thousand Four Hundred Ten Dollars (\$3,211,410).

25 2. Except as expressly modified herein, all of the terms and conditions  
26 contained in Agreement No. 35545 are ratified and confirmed and shall remain in full force  
27 and effect.

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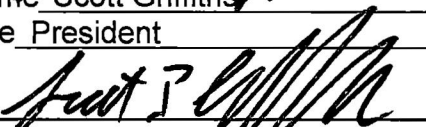
IN WITNESS WHEREOF, the Parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

GREAT SCOTT TREE SERVICE, INC., a California corporation

June 22, 2023

By   
Name Scott Griffiths  
Title President

June 22, 2023

By   
Name Scott Griffiths  
Title Secretary

"Contractor"

CITY OF LONG BEACH, a municipal corporation

July 13, 2023

By   
City Manager

"City"

This Fourth Amendment to Agreement No. 35545 is approved as to form on 7-5, 2023.

DAWN MCINTOSH, City Attorney

By   
Deputy

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.