

**FIRST AMENDMENT
to Agreement between the
City of Chula Vista
and
WEST COAST ARBORISTS, INC.
For TREE MAINTENANCE SERVICES**

This FIRST AMENDMENT “Amendment” is entered into effective as of November 5, 2024 (“Effective Date”) by and between the City of Chula Vista (“City”) and WEST COAST ARBORISTS, INC. (“Contractor”) with reference to the following facts:

RECITALS

WHEREAS, City and Contractor previously entered into City of Chula Vista Cooperative Purchasing Agreement with West Coast Arborists, Inc. to Provide Tree Maintenance Services (“Original Agreement”) on July 26, 2022; and

WHEREAS, Section 2 of the Original Agreement provides that the initial term of the agreement is July 26, 2022 to June 30, 2024 with an option to extend the agreement for up to two additional one-year terms; and

WHEREAS, City previously exercised the first option to extend the Original Agreement to June 30, 2025; and

WHEREAS, City desires to exercise the second option to extend the Original Agreement through June 30, 2026; and

WHEREAS, Section 9.1 of the Original Agreement provides that parties are permitted to modify the Agreement by means of a written amendment executed by both parties; and

WHEREAS, City and Contractor desire to amend the Original Agreement to change the Maximum Contract Amount from \$3,000,000 to \$4,500,000, as more specifically set forth below, as more specifically set forth below.

NOW, THEREFORE, in consideration of the above recitals and the mutual obligations of the parties set forth herein, City and Contractor agree as follows:

1. Exhibit C, Section C.5 of the Original Agreement is hereby replaced in its entirety with the following:

“Maximum Contract Amount. The maximum amount to be paid to Contractor for services performed during the Initial Term is \$1,500,000. If City elects to exercise an option to extend the Agreement per Section 2, the maximum amounts to be paid to the Contractor for services performed from June 1, 2024 through June 30, 2026 shall not exceed \$3,000,000.”

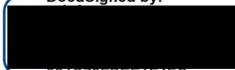
- 2. City hereby amends its Notice of Exercise of Option to Extend Agreement dated July 1, 2024 to read as follows:

OPTION NO. Options 1 and 2 of 2
 OPTION TERM: July 1, 2024 to June 30, 2026
 MAXIMUM COMPENSATION FOR OPTION TERM: \$3,000,000

- 3. Except as expressly provided herein, all other terms and conditions of the Original Agreement shall remain in full force and effect.
- 4. Each party represents that it has full right, power and authority to execute this FIRST Amendment and to perform its obligations hereunder, without the need for any further action under its governing instruments, and the parties executing this Amendment on the behalf of such party are duly authorized agents with authority to do so.

WEST COAST ARBORISTS, INC.

CITY OF CHULA VISTA

DocuSigned by:

 BY: _____
324C79FBEE1F4FC...
 PATRICK MAHONEY
 PRESIDENT

BY: _____
 JOHN MCCANN
 MAYOR

ATTEST

BY: _____
 Kerry K. Bigelow, MMC
 City Clerk

APPROVED AS TO FORM

BY: _____
 Marco A. Verdugo,
 City Attorney