

AGREEMENT NO. 2019-159G

SEVENTH AMENDMENT TO MAINTENANCE CONTRACT

This Seventh Amendment to Maintenance Contract Agreement No. 2019-159 (Amendment) is entered into between the City of Camarillo, a California general law city and municipal corporation (City), and Landscape Development Inc., dba Enhanced Landscape Management, a California corporation (Contractor) collectively referred to as the "Parties". The effective date of this Amendment is July 1, 2024.

RECITALS

A. The Parties have entered into a written agreement entitled "City of Camarillo Maintenance Contract Agreement No. 2019-159" having an effective date of January 1, 2020 (Agreement) to provide for certain maintenance services in the amount of \$6,336,708 as outlined in Exhibit A of Agreement from Contractor. The term of the Agreement is forty-two months ending June 30, 2023.

B. The parties have entered into a written agreement entitled "First Amendment to Maintenance Contract Agreement No. 2019-159A" having an effective date of July 1, 2020 (First Amendment) to reduce the scope of landscape maintenance services due to economic impact of the COVID-19 pandemic by \$339,148.20 for each remaining Fiscal Year for a total FY 2020/21 through FY 2022/23 annual amount of \$1,471,339.80 with CPI increases for FY 2021/22 and FY 2022/23 for a total agreement amount of 5,319,263.40.

C. The parties have entered into a written agreement entitled "Second Amendment to Maintenance Contract Agreement No. 2019-159B" having an effective date of April 14, 2021 (Second Amendment) to perform special project and landscape renovations in several assessment districts in the amount of \$27,000 as outlined in Exhibit A of the Second Amendment from Contractor for a total agreement amount of \$5,346,263.40.

D. The parties have entered into a written agreement entitled "Third Amendment to Maintenance Contract Agreement No. 2019-159C" having an effective date of July 1, 2021 (Third Amendment) to re-establish the scope of landscape maintenance services and frequencies to pre COVID-19 pandemic levels for an annual increase of \$339,148.20 for an annual amount of \$1,810,488 for FY 2021/22 and FY 2022/23 with a CPI increase of approximately 3% for FY 2022/23 for a total agreement amount of \$6,024,559.80.

E. The parties have entered into a written agreement entitled "Fourth Amendment to Maintenance Contract Agreement No. 2019-159D" having an effective date of September 8, 2021 (Fourth Amendment) to adjust the contract amount by a CPI increase of 4% for FY 2021/22 due to labor, fuel and material cost increases. The 4% CPI increase is retroactive to July 1, 2021, resulting in an increase of \$72,419.52 for an annual amount of \$1,882,907.52 for FY 2021/22 and FY 2022/23 with a CPI increase of approximately 3% for FY 2022/23 for a total agreement amount of \$6,169,398.84.

F. The parties have entered into a written agreement entitled "Fifth Amendment to Maintenance Contract Agreement No. 2019-159E" having an effective date of July 1, 2023 (Fifth Amendment) to begin landscape maintenance services at the City Desalter facility for an annual amount of \$30,936 for FY 2022/23 for a total agreement amount of \$6,200,334.84.

G. The parties have entered into a written agreement entitled "Sixth Amendment to Maintenance Contract Agreement No. 2019-159F" having and effective date of July 1, 2023, to extend the Agreement for FY 2023/24 and for Contractor to perform additional landscape maintenance services at the Camino Carillo pathway and the Metrolink Station and to discontinue landscape services at the old library facility in the amount of \$2,168,774.55 for FY 2023/24 for a total agreement amount of \$8,369,109.39.

H. All capitalized terms not defined in this Amendment have the meaning set forth in the Agreement.

I. The parties desire to modify the Scope of Work in accordance with Section 15.5 of the Agreement.

Section 1. Amendment. The Agreement is amended as follows:

1. The Agreement for landscape maintenance services in Areas 1 through 5 is extended for one additional year from the Effective Date through June 30, 2025.
2. Contractor will begin additional landscape services in Area 3 at the Desalter Facility for an annual amount of \$10,397.40.
3. Contractor to begin additional landscape services in Area 4 for the Shea Homes Trailhead for an annual amount of \$9,360.00.
4. City will temporarily suspend landscape maintenance service to Dizdar Park during construction of the renovation project during FY 2024/25. The annual reduction in cost in Area 1 will be \$13,228.92.
5. As a result of City staff applying for and being awarded SB 1383 monies and in an effort to help the City meet CalRecycle procurement goals, starting July 1, 2024, mulch (ES-2) and topper used by LDI during city landscape contract maintenance services will be procured directly from Agromin. This action will result in a contract cost reduction of \$25,000.00 that will be divided equally between the five landscape areas of the City.

Section 2. Compensation and Payment. This Seventh Amendment to the Maintenance Contract is for a not-to-exceed amount of \$2,203,441.64 for FY 2024/25 for a total agreement amount of \$10,572,551.03.

Section 3. Continuation of Terms of Agreement. Except as expressly modified by the terms and provisions of this document, the remaining terms and provisions of the Agreement remain in full force and effect.

THE AUTHORIZED REPRESENTATIVES of the Parties have caused this Seventh Amendment, Agreement No. 2019-159G, to be executed as of the Effective Date above.

CITY OF CAMARILLO



Greg Ramirez, City Manager

ATTEST:



Kristy Buxkemper, City Clerk

LANDSCAPE DEVELOPMENT INC., dba ENHANCED LANDSCAPE MANAGEMENT, a California corporation



Mark Crutcher, CEO



Timothy Myers, CFO

Camarillo Business Tax Certificate No. 007907

Expiration Date: 05/31/2025