

AGREEMENT NO. 2019-159E

FIFTH AMENDMENT TO MAINTENANCE CONTRACT

This Fifth Amendment to Maintenance Contract Agreement No. 2019-159 (Amendment) effective date of July 1, 2022, 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".

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 2020/23 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 \$1,181,048 for FY 2021/22 and FY 22/23 with a CPI increase of approximately 3% for FY 22/23 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 22/23 with a CIP increase of approximately 3% for FY 22/23 for a total agreement amount of \$6,169,398.84.

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

G. 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. Additional "Scope of Services" of the Agreement is amended to add the following:

Contractor to perform weekly landscape maintenance services at the Camarillo desalter plant in the amount of \$30,936 for FY 2022/23 which includes all provisions included in the existing maintenance agreement per attached Exhibit A.

Section 2. Compensation and Payment. This Fifth Amendment to the Maintenance Contract is for a not-to-exceed amount of \$30,936 for FY 2022/23 for a total agreement amount of \$6,200,334.84.

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 Fifth Amendment, Agreement No. 2019-159E, 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



Gary Horton, President



Timothy Myers, CFO

Camarillo Business Tax Certificate No. 007907

Expiration Date: 05/31/2023

Attachment: Exhibit A

EXHIBIT A



April 20th, 2022

Mr. Steven Cruz
City of Camarillo
Account # 5533800

RE: Addition of Desalter Plant to Current Location list

Good morning Steven,

We are pleased to provide the following proposal for weekly landscape maintenance to the Desalter plant located on Lewis Road. The monthly price to provide services for this location will be \$2,578.00 per month. This includes all provisions included in the existing maintenance agreement.

The maintenance and irrigation work will be completed by an additional crew outside the existing staffing for the current agreement.

If you would like us to proceed, please let us know.

Many Thanks,

Lee C. Opp i Branch Manager

Enhanced Landscape Management

Cell: 805.657.6631

License #450067, A, C27, D49

Enhancedlandscape.com