

**AMENDMENT NUMBER 3
TO “AGREEMENT FOR TRADES-RELATED SERVICES”**

THIS AMENDMENT NUMBER 3 TO AGREEMENT FOR TRADES-RELATED SERVICES (the “Third Amendment”) is made and entered into as of January 01, 2024 by and between the CITY OF IRVINE, a municipal corporation (“City”) and MERCHANTS LANDSCAPE MAINTENANCE SERVICES, INC., a California corporation (“Contractor”), for the purpose of amending the written “Agreement for Trades-Related Services” entered into between City and Contractor as of December 05, 2018, City of Irvine contract number 10314 (the “Agreement”).

- 1. The expiration date of the Agreement is changed from December 31, 2023 to June 30, 2024.
- 2. PART V, BUDGET, is modified as follows:
 - Last paragraph, is replaced in its entirety with the following:

“Pricing shall remain firm for the new six (6) month Agreement term.”
 - Increase in unit prices for Scheduled Duties by 5% for the new Agreement term in accordance with Exhibit I, attached hereto. The total not-to-exceed contract value is increased by \$41,839.60 from \$983,377.78 to \$1,025,217.38.

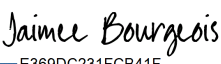
Scheduled Duties	\$ 878,631.68
Seasonal Duties	\$ 46,585.70
Extra Work	<u>\$ 100,000.00</u>
Total Agreement not-to-exceed	\$ 1,025,217.38

- 3. Except as set forth in this Third Amendment, all terms, conditions and provisions of the Agreement are unchanged and remain in full force and effect.

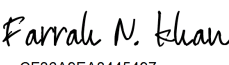
(Signatures follow on next page)

IN WITNESS WHEREOF, the parties hereto have caused this Third Amendment to the Agreement to be executed by their respective duly authorized agents as of the date first set forth above.

CITY OF IRVINE

DocuSigned by:
By: 
E369DC231FCB41F...
Jaimee Bourgeois
Its: Director of Public Works &
Transportation

DocuSigned by:
By: 
7809AA719A2B4C7...
Oliver C. Chi
Its: City Manager

DocuSigned by:
By: 
CF36A9EA8445497...
Farrah N. Khan
Its: Mayor of the City of Irvine


Attest:

DocuSigned by:
By: 
0FCAD91F02E547D...
Carl Petersen
Its: City Clerk

APPROVED AS TO FORM:
RUTAN & TUCKER, LLP

DocuSigned by:
By: 
DABE8686180C4BB...
Jeffrey Melching

**MERCHANTS LANDSCAPE
MAINTENANCE SERVICES, INC.**

DocuSigned by:
By: 
AAB6DC692D5A4EF...
Mark Brower
Its: President

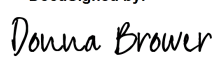
DocuSigned by:
By: 
7446047C0FEA471...
Donna Brower
Its: Secretary

EXHIBIT I**SCHEDULE OF WORK AND PRICING**

ITEM #	DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	UNIT PRICE	UNIT PRICE W/ 5% INCREASE	LINE TOTAL
SCHEDULED AND SEASONAL DUTIES						
1	Scheduled Duties - Streetscape	Acres	898.68	\$900.72	\$945.76	\$849,932.00
2	Scheduled Duties - San Diego Creek	Acres	209.16	\$130.68	\$137.21	\$28,699.68
3	Seasonal Duties - Turf Fertilization JTM 8-2-7 at 6 bags per acre	Acres	96.68	\$190.00		\$18,369.20
4	Seasonal Duties - Turf Fertilization JTM N/Fe 5-0-0 at 6 bags per acre	Acres	48.34	\$150.00		\$7,251.00
5	Seasonal Duties - Aerification of turf	Acres	145.02	\$75.00		\$10,876.50
6	Seasonal Duties - Shrub and Ground Cover fertilization JTM 8-2-7 at 6 bags per acre	Acres	53.1	\$190.00		\$10,089.00
Subtotal for Seasonal and Scheduled Duties						\$925,217.38

ITEM #	DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE
EXTRA WORK NOT GUARANTEED					
7	Turf Fertilization JTM Activator Calcium @ 10 bags per acre	Acres	48.34	\$250.00	\$12,085.00
8	Turf Fertilization Nitra King @ 5 bags per acre	Acres	48.34	\$150.00	\$7,251.00
9	Shrub and Ground Cover fertilization JTM Activator Calcium at 10 bags per acre	Acres	26.55	\$350.00	\$9,292.50
10	Turfgrass Renovation	Acres	48.34	\$1,200.00	\$58,008.00
11	Top-dress 1/4 inch thick Organic compost	Acres	48.34	\$1,200.00	\$58,008.00
12	Broadcast Turf Type Tall Fescue seed at 0.1 lbs. per sq. ft.	sq. ft.	210569	\$0.25	\$52,642.25
13	Rainbird PESB-R control valve 1" Valve	Each	10	\$280.00	\$2,800.00
14	Rainbird PESB-R control valve 1-1/4" Valve	Each	10	\$1.00	\$10.00
15	Rainbird PESB-R control valve 1-1/2" Valve	Each	10	\$320.00	\$3,200.00
16	Rainbird PESB-R control valve 2" Valve	Each	10	\$365.00	\$3,650.00

17	Rainbird PESB-R control valve 2-1/2" Valve	Each	10	\$1.00	\$10.00
18	Toro Precision Nozzle 15 foot radius	Each	50	\$5.00	\$250.00
19	Rain Bird rotary nozzle	Each	50	\$6.00	\$300.00
20	Rain Bird 8005 stainless steel rotor	Each	10	\$65.00	\$650.00
21	Rain Bird 5006 stainless steel rotor	Each	100	\$40.00	\$4,000.00
22	Rain Bird 5012 stainless steel rotor	Each	100	\$45.00	\$4,500.00
23	Replace valve box, standard square 11" X 17"-stamped with valve #	Each	25	\$35.00	\$875.00
24	Replace valve box, 9" round	Each	25	\$25.00	\$625.00
25	Laborer	Hourly	300	\$27.00	\$8,100.00
26	Irrigator	Hourly	50	\$40.00	\$2,000.00
27	Qualified Pesticide Applicator	Hourly	50	\$40.00	\$2,000.00
28	Tractor w/Operator grading DG trail	Hourly	32	\$90.00	\$2,880.00
29	Inclement Weather Crew	Hourly	150	\$86.00	\$12,900.00
30	Install Tall Fescue Sod, Roll and Hand Water	Sq. Ft.	5000	\$1.15	\$5,750.00
31	Install Kikuyugrass Sod, Roll and Hand Water	Sq. Ft.	5000	\$1.75	\$8,750.00
32	1-gallon shrub	Each	100	\$9.00	\$900.00
33	1-gallon drought tolerant shrub	Each	100	\$11.00	\$1,100.00
34	1-gallon ornamental grass	Each	100	\$11.00	\$1,100.00
35	2-gallon carpet rose	Each	50	\$25.00	\$1,250.00
36	5-gallon shrub	Each	250	\$20.00	\$5,000.00
37	5-gallon drought tolerant shrub	Each	50	\$25.00	\$1,250.00
38	15-gallon shrub	Each	10	\$65.00	\$650.00
39	15-gallon tree with all hardware, 2 hand waterings per week for 3 weeks and a 6 month warranty	Each	25	\$175.00	\$4,375.00
40	24" box tree with all hardware, 2 hand waterings per week for 3 weeks and 6 month warranty	Each	50	\$295.00	\$14,750.00
41	Add a tree bubbler for newly planted trees	Each	10	\$25.00	\$250.00
42	Root pruning to below grade and backfill with topsoil	Linear Foot	500	\$5.00	\$2,500.00
43	Remove and install 2 1/2" Point of Connection per City Standard including master valve, basket strainer, gate valves, pressure regulator and Carson box	Each	1	\$5,000.00	\$5,000.00
44	Install Netafin and necessary parts on grade per manufacturers recommendations	Linear Foot	10000	\$2.00	\$20,000.00
45	Install 10 gallon EZ Flo injector and all necessary components	Each	1	\$1,800.00	\$1,800.00
46	Trench install/backfill, 14 gauge wire @ x/- 12" depth	Linear Foot	1000	\$2.00	\$2,000.00

47	Provide shoring for irrigation repairs deeper than 48"	Linear Foot	10	\$100.00	\$1,000.00
48	Remove irrigation controller and install Weather Trak LC 18 station	Each	1	\$2,800.00	\$2,800.00
49	Remove irrigation controller and install Weather Trak Pro 3 24 station	Each	1	\$3,900.00	\$3,900.00
50	Remove and replace concrete trash can	Each	1	\$75.00	\$75.00
51	Remove and replace trash can lid	Each	5	\$10.00	\$50.00
52	Remove and replace trash can insert	Each	5	\$25.00	\$125.00
53	Remove and replace metal drain grates	Each	1	\$25.00	\$25.00
54	Soil Test	Each	10	\$300.00	\$3,000.00
55	Flail Mow	Acres	55	\$1.50	\$82.50
Subtotal for Extra Work Not Guaranteed					\$100,000.00

TOTAL CONTRACT PRICE \$1,025,217.38