

## Attachment 1

### **AMENDMENT NO. 3 TO FUELBREAK MAINTENANCE AND INVASIVE MANAGEMETN CONTRACT BETWEEN MARIN MUNICIPAL WATER DISTRICT and FORSTER AND KROEGER LANDSCAPE MAINTENANCE INC. (CONTRACT NO. 1948)**

This Contract Amendment ("Amendment No. 3") is entered into by and between Marin Municipal Water District ("District") and Forster and Kroeger Landscape Maintenance Inc. ("Contractor"). For good and valuable consideration the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

#### Section 1. Recitals:

- A. On June 6, 2021 the District and the Contractor entered into Contract No. 1948 for Fuelbreak Maintenance and Invasive Management ("Contract") to run through June 30, 2022.
- B. On January 27, 2023, the District Board of Directors authorized an amendment (Amendment No. 1) which corrected the contract completion date to June 30, 2023.
- C. The Contract contains an option for the District to extend the term in one year increments for up to an additional two years. On June 6<sup>th</sup>, 2023, the District Board of Directors authorized an amendment (Amendment No. 2) which extended the contract completion date to June 30, 2024.
- D. At this time, the Parties desire to execute an amendment ("Amendment No. 3") to the Contract to extend the services of Contractor for one final year term until June 30, 2025.

#### Section 2. Terms:

- A. Amendment to Contract: This Amendment No. 3 modifies the Contract. Except for the modifications contained herein, all the terms of the Contract shall apply.
- B. Terms:
  - 1. Special Provisions Part 1-General- Paragraph 1.5 entitled "CONTRACT COMPLETION DATE" is amended to read as follows:

Upon the execution of Amendment No. 3 to this Contract, the term shall be extended for one final year and terminate on June 30, 2025 unless otherwise terminated pursuant to Article 46 of the standard specifications.
  - 2. Pursuant to Special Provisions Part 1 – General – Paragraph 1.22 entitled "ESCALATION OF UNIT PRICE", the unit prices will be adjusted effective July 1, 2024 by 2.4% as reflected on Attachment A to this Amendment No. 3, which is incorporated herein and made part of the Contract.

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Executed by the parties as follows:

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

**Forster & Kroeger**

By: \_\_\_\_\_

Raul Garcia, President

**Marin Municipal Water District**

By: \_\_\_\_\_

Bennett Horenstein, General Manager

**ATTACHMENT A**  
**CN 1948 Amendment No.3 Budget**

Forster & Kroeger						
Understory Brush/Tree Removal & Mastication Year 4						
	Description	Quantity	Year 3 Rate	CPI Increase	Year 4 Rate	Total
a	Crew Supervisor	3600	62.52	2.40%	\$64.02	\$230,472.00
b	Laborer (Landscape Worker)	13000	52.1	2.40%	\$53.35	\$693,550.00
c	Laborer (Sawyer)	1500	52.1	2.40%	\$53.35	\$80,025.00
d	Chipper, run time	80	26.05	2.40%	\$26.68	\$2,134.40
e	Box Truck	80	26.05	2.40%	\$26.68	\$2,134.40
	Total					\$1,008,315.80