

Contract #20040116 Amendment #4

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Date: August 13, 2008

Contract Title: Aquatic Vegetation Control

Contractor's Name: Aquatic Vegetation Control, Inc.

Contract period: 11/01/2007 – 10/31/2010

The following modifications to the Terms and Conditions contained in Contract # 20040116 between Aquatic Vegetation Control, Inc., and the City of Port St. Lucie are hereby incorporated and made a part of that Contract.

1. Amend the current contract pricing, as of October 1, 2008, and allow a five (5) % increase in the pricing for the D.R.O.W. Management, Waterway and Lake Management and Greenways Management as listed:

Table #1: Annual Lump sum costs, paid quarterly, inclusive of Schedules 1-3 as outlined in the original terms and conditions, is hereby revised to **\$481,908.00** minus a 1.25% decrease in lieu of a payment and performance bond for an annual total of **\$475,884.15**.

Table #2 Monthly Billing Cost per Acre.

<u>Schedule #1</u>	District #1	\$80.64
	District #2	\$69.06
	District #3	\$69.06
	District #4	\$103.59
	District #5	\$103.59
	District #6	\$138.11

Schedule #2 \$16.70

Schedule #3 \$22,292.81 lump sum/per quarter

Table #3 Cost per Acre for Additional Work for Schedules 1-3

Schedule #1	\$121.31	Cost per treated acre using truck
Schedule #2	\$111.98	Waterway Treated - Acreage assumes entire area
Schedule #3	\$126.50	Acreage based on total acres added-inspect and treated

2. With this amendment, the contract allows for annual price determinations, not to exceed 5%, based on the U.S. Dept of Labor, Bureau of Labor Statistics, Consumer Price Index – All Urban Consumers (CPI-U) as found on this site: <http://www.bls.gov/data/#prices> . The City will base the annual determination starting with comparison of the September 2008 -All Items, results. The City will base following years on the CPI-U comparison of September of that year.
3. The current 5% contract price increase does not include pricing as listed in Amendment #3 –Brazilian Pepper Tree Removal. Amendment #3 pricing remains in effect until July 31, 2009. Subsequent years are subject to possible increases as stated in item #2.
4. All other terms and conditions of the original contract and/or Addenda apply.

IN WITNESS WHEREOF, the parties have executed this contract at Port St. Lucie Florida, the day and year first above written.

CITY OF PORT ST. LUCIE FLORIDA

By: _____
City Manager

ATTEST:

By: _____
City Clerk

By: _____
Authorized Representative of Aquatic Vegetation Control, Inc.

State of: _____

County of: _____

Before me personally appeared: _____
(please print)

Personally known _____

or Produced Identification: _____
(type of identification)

Identification No. _____

known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that _____ executed said instrument for the purposes therein expressed.
(he/she)

WITNESS my hand and official seal, this ____ day of _____, 2008.

Notary Signature

Notary Public-State of _____ at Large

My Commission Expires _____.

(seal)

