



**AMENDMENT NUMBER FIVE
TO
CONTRACT NUMBER MA-299-17011739
FOR
NATIVE PLANT HABITAT MANAGEMENT &
LANDSCAPE MAINTENANCE SERVICES FOR
CENTRAL AND NORTH REGION LANDFILLS**

This Amendment Number Five (“**Amendment**”) to Contract Number MA-299-17011739 to provide Native Plant Habitat Management & Landscape Maintenance Services for Central and North Region Landfills for OC Waste & Recycling (“**Contract**”) is made and entered into upon execution of all necessary signatures between the County of Orange, a political subdivision of the State of California, by its OC Waste & Recycling department (“**County**”) and **Helix Environmental Construction Group, Inc.** (“**Contractor**” or “**Helix**”), with a principal office located at 7578 El Cajon Blvd, La Mesa, CA 91942. County and Contractor are collectively referred to as “Parties.”

RECITALS

WHEREAS, Contractor responded to a Request for Proposal (“**RFP**”) to provide Native Plant Habitat Management & Landscape Maintenance Services for Central and North Region Landfills (“**Services**”); and

WHEREAS, the County Board of Supervisors authorized the County Purchasing Agent or authorized Deputy to enter into a Contract with Contractor to provide the Services for a three-year period, effective July 15, 2017 through July 14, 2020, in an amount not to exceed \$1,200,000; and

WHEREAS, County issued Amendment Number One to amend Article S in its entirety and increase the Contract monetary limit by \$600,000, for a revised cumulative Contract amount not to exceed \$1,800,000, in order to provide ongoing Native Plant Habitat Management and Landscape Maintenance Services as provided for in the Scope of Work for the approximately 150 acres of vegetated final cover as well as other areas at Olinda Alpha Landfill and other North Region sites, including weed removal, herbicide application, remedial planting, application of soil amendments, pest control and erosion control; and

WHEREAS, County issued Amendment Number Two to add labor classification *Restoration Supervisor II* at a rate of \$105.00 per hour to the Contract, with no change to the Contract monetary limit; and

WHEREAS, County issued Amendment Number Three to amend Additional Term and Condition, Number One, titled Term, and renew the Contract for one year, effective July 15, 2020, through July 14, 2021, in an amount not to exceed \$900,000, for a cumulative Contract total not to exceed \$2,700,000; and

WHEREAS, the Silverado Fire on October 26, 2020 caused significant damage to the Native Plant Habitat and Landscape at the Frank R. Bowerman Landfill requiring extensive remediation; and

WHEREAS, County issued Amendment Number Four to increase the Contract in the amount of \$500,000, effective upon Board approval and execution of all necessary signatures, for a revised annual Contract total not to exceed \$1,400,000, and a revised cumulative Contract total not to exceed \$3,200,000, in order to repair the damages sustained in the Silverado Fire; and

WHEREAS, County now desires to renew the Contract for one year, effective July 15, 2021 through July 14, 2022, in an amount not to exceed \$1,000,000, for a cumulative Contract total not to exceed \$4,200,000;


NOW, THEREFORE, for and in consideration of the professional services and mutual promises to be performed for the County by the Contractor in connection with the Services and the compensation to be paid for such Services and mutual promises by the County, the Parties agree as follows:

1. Contract Number MA-299-17011739 shall be renewed for one year, effective July 15, 2021 through July 14, 2022, in an amount not to exceed \$1,000,000, for a cumulative Contract total not to exceed \$4,200,000.
2. Except as amended herein, all remaining terms and conditions of the Contract shall remain in full force and effect.

[Signature page follows]

The Parties hereto have executed this Amendment Number Five on the dates shown opposite their respective signatures below.

HELIX ENVIRONMENTAL CONSTRUCTION GROUP, INC.*:

Justin Fischbeck	President
Print Name	Title
	5/18/2021
Signature	Date

Print Name	Title
Signature	Date

* If the contracting party is a corporation, two (2) signatures are required: one (1) signature by the Chairman of the Board, the President or any Vice President; and one (1) signature by the Secretary, any Assistant Secretary, the Chief Financial Officer or any Assistant Treasurer. The signature of one person alone is sufficient to bind a corporation, as long as he or she holds corporate offices in each of the two categories described above. For County purposes, proof of such dual office holding will be satisfied by having the individual sign the instrument twice, each time indicating his or her office that qualifies under the above described provision. In the alternative, a single corporate signature is acceptable when accompanied by a corporate resolution demonstrating the legal authority of the signee to bind the corporation.

County of Orange, a political subdivision of the State of California

Print Name	Title
Signature	Date

APPROVED AS TO FORM:

County Counsel

By **Paul Albarian**
 Paul Albarian, Senior Deputy
 Date 05/18/2021 | 12:13 PM PDT