

RESOLUTION R-2018-24

**A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT #1 TO  
AGREEMENT #C 36768 WITH TREES "R" US, INC. for TREE PRUNING SERVICES**

**WHEREAS**, the City of Wheaton, DuPage County, Illinois and Trees "R" Us, Inc. entered into an Agreement dated April 5, 2016, to provide tree pruning services (City Agreement #C 36768, herein after "Agreement"); and

**WHEREAS**, the City has a continued need for tree pruning services; and

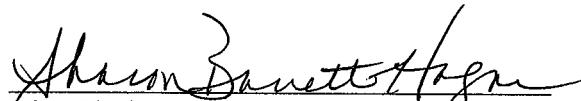
**WHEREAS**, it is determined by the City that the Trees "R" Us, Inc. request for contract renewal to provide continued tree pruning services through April 1, 2019 meets the City's needs; and

**WHEREAS**, it is necessary for the City to enter into a first amendment to the Agreement #C 36768 with Trees "R" Us, Inc., for the purpose of providing tree pruning service.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Wheaton, Illinois that the Mayor is hereby authorized to execute and the City Clerk is hereby directed to attest to Amendment #1 to Agreement #C 36768 between the City of Wheaton and Trees "R" Us, Inc. for tree pruning services.

ADOPTED this 2<sup>nd</sup> day of April 2018.

ATTEST:

  
Sharon Bennett Fagan  
City Clerk

Mayor

Roll Call Vote:

Ayes: Councilman Rutledge  
Councilman Scalzo  
Councilman Suess  
Councilman Barbier  
Councilwoman Fitch  
Councilman Prendiville  
Mayor Gresk

Nays: None  
Absent: None

Motion Carried Unanimously



**AMENDMENT #1 OF CONTRACT #C 36853**  
**Agreement between the City of Wheaton, Illinois**  
**and TREES "R" US, INC.**  
**for TREE PRUNING SERVICES**

This first amendment to City Agreement #C 36853, a copy of which is attached hereto and incorporated herein as if fully set forth as Exhibit A-Amendment #1, is entered into as of this 2<sup>nd</sup> day of April 2018 by and between the CITY OF WHEATON, an Illinois municipal corporation ("City"), 303 West Wesley Street, Wheaton, IL 60187, and TREES "R" US, INC., ("Contractor"), PO Box 6014, Wauconda, IL 60084.

**WHEREAS**, the City and the Contractor entered into City Agreement #C 36853, dated April 5, 2016, to provide services (hereinafter the "Work") described as Tree Pruning Services consistent with Exhibit A of the initial contract; and

**WHEREAS**, the City has a continued need for Tree Pruning Services; and

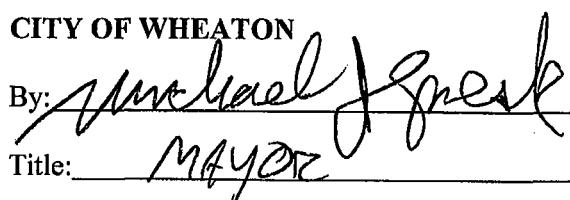
**WHEREAS**, the City received a request for contract renewal dated March 16, 2018, a copy of which is attached hereto and incorporated herein as if fully set forth as Exhibit B-Amendment #1, from Trees "R" Us, Inc. for continued Tree Pruning Services through April 1, 2019.

**NOW, THEREFORE**, in consideration of the agreements contained in this instrument and such other sufficient considerations, the parties agree as follows:

1. The recitals set forth above, including Exhibit A-Amendment #1 and Exhibit B-Amendment #1, are incorporated herein as substantive terms and conditions of this Amendment #1 of Contract #C36853 and represent the intent of the parties.
2. The term of this Amendment #1 to City Agreement #C 36853 shall commence on May 1, 2018 and shall terminate on May 1, 2019.
3. The City retains the Contractor to perform, and the Contractor agrees to perform all Tree Pruning Services described in Exhibit A-Amendment #1 and as amended by Exhibit B-Amendment #1.
4. Contractor shall provide the City with current Certificate(s) of Insurance together with additional party insured Endorsements and a Performance Bond all in compliance with the Initial Contract terms upon executing this Amendment #1.
5. All other provisions of Agreement #C36853, except as modified herein, are hereby ratified and reaffirmed.

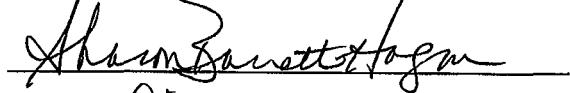
**CITY OF WHEATON**

By:

  
\_\_\_\_\_  
Title: Mayor

Date: 4/2/18

Attest:

  
\_\_\_\_\_  
Title: City Clerk

Date: 4/2/18

**TREES R US, INC.**

By: Neil H. Willis JENNI WILLIS Date: 4/20/18  
Title: PRESIDENT

Attest:

Neil H. Willis NICK WILLIS  
Title: SECRETARY