



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: FEBRUARY 7, 2023

FROM: PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT WARD: ALL

SUBJECT: THIRD AMENDMENT TO THE LANDSCAPE MAINTENANCE SERVICE AGREEMENT WITH INLAND EMPIRE LANDSCAPE, INC., TO ADD CITY SPORTS PARK LOCATIONS FOR LANDSCAPE MAINTENANCE AND IRRIGATION REPAIR SERVICES FOR THE TERM OF JANUARY 1, 2023, THROUGH JUNE 30, 2023, IN THE AMOUNT OF \$880,000; AND CHANGE ORDER AUTHORITY OF 25% IN THE AMOUNT OF \$220,000, FOR A NOT TO EXCEED AMOUNT OF \$1,100,000.

ISSUE:

Third Amendment to the Landscape Maintenance Service Agreement with Inland Empire Landscape, Inc., to add City Sports Park locations for landscape maintenance and irrigation services for the term of January 1, 2023, through June 30, 2023, in the amount of \$880,000; and change order authority of 25% in the amount of \$220,000 for an Amendment total amount of \$1,100,000, and a total contract annual amount not to exceed \$2,737,378.12.

RECOMMENDATIONS:

That the City Council:

1. Approve the Third Amendment to the Landscape Maintenance Service Agreement (Amendment) to add City Sports Park locations for landscape maintenance services with Inland Empire Landscape, Inc., for the term of January 1, 2023, through June 30, 2023, in the amount of \$880,000;
2. Authorize the City Manager or designee to execute the Amendment, including making minor and non-substantive changes; and
3. Authorize the City Manager or designee, to execute a 25% change order authority in the amount of \$220,000 to address unforeseen maintenance requirements caused by aging infrastructure, theft and vandalism.

BACKGROUND:

On July 18, 2017, and September 13, 2018, Parks, Recreation and Community Services Department (PRCSD) issued Request for Proposals (RFP) No. 1735, and RFP No. 1863, seeking new landscape maintenance contractors for Sports Parks and Neighborhood Parks to be provided under separate agreements. Seven companies attended the non-mandatory proposer's conference for RFP 1735 for City Sports Park, and six companies attended the non-mandatory

proposer's conference for RFP 1863. The proposals were reviewed by the Purchasing Division staff and determined to be responsive.

On January 23, 2018, City Council approved an agreement with So Cal Land Maintenance, Inc. for landscape maintenance services at various City Sports Park locations for a one (1) year term expiring December 31, 2018. On November 29, 2018, the PRCSD and So Cal Land Maintenance, Inc. entered into the first amendment to the agreement to extend the term for two (2) years expiring December 31, 2020; and on January 1, 2021, the PRCSD and So Cal Land Maintenance, Inc. entered the second amendment extending the term for an additional two (2) years and expired on December 31, 2022.

On April 2, 2019, City Council approved an agreement with Inland Empire Land Maintenance, Inc. for landscape maintenance services at Neighborhood Parks from RFP 1863; and is set to expire December 31, 2023.

DISCUSSION:

The current agreement with So. Cal Land Maintenance, Inc terminated on December 31, 2022. To ensure services are maintained and uninterrupted at City Sports Parks, PRCSD is requesting to enter into a six-month agreement with Inland Empire Landscape, Inc., based off the Neighborhood Parks RFP 1863. Inland Empire Landscape Inc. has agreed to extend landscape maintenance services and pricing to City Sports Park locations at \$.0095 per square foot for a six-month term from January 1, 2023, through June 30, 2023. This Amendment with Inland Empire Landscape, Inc. will allow PRCSD to complete the RFP bidding process and have a competitively bid agreement in place by July 1, 2023. PRCSD has issued RFP 2245 for landscape maintenance services for City Sports Parks.

The following table describes the locations to be added to the agreement.

Park Name	
1	Andulka Park (<i>excludes tennis center</i>)
2	Arlington Heights Sports Park
3	Don Derr Park
4	Don Jones Park
5	Don Lorenzi Park
6	Hunt Park
7	Hunter Hobby Park
8	La Sierra Park
9	Nichols Park
10	Orange Terrace Community Park
11	Patterson Park
12	Reid Park
13	Ryan Bonaminio Park
14	Shamel Park

Per Purchasing Resolution No. 23914 Section 702(h) which states, “Competitive Procurement through the Informal Procurement and Formal Procurement process shall not be required in any of the following circumstances: ... (h) When services, except Professional Services, can be Procured from a Contractor who offers the same or better price, terms and conditions as the Contractor previously offered as the Lowest Responsive Bidder under Competitive Procurement negotiations conducted by the City or another public agency, provided that, in the opinion of the Manager, it is in the best interests of the City to do so”.

The Purchasing Manager concurs with these recommendations in accordance with Purchasing Resolution 23914.

STRATEGIC PLAN ALIGNMENT:

The agreement with Inland Empire Landscape, Inc. aligns with **Strategic Priority 1 – Arts, Culture and Recreation** and **Goal 1.3** in addressing parks and open space maintenance needs.

This action aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** – Well maintained sports park serve the public interest, benefit the City's diverse populations, and result in greater public good.
2. **Equity** – Well maintained sport parks are accessible to the public for use and contribute to public safety.
3. **Fiscal Responsibility** – Continuous landscape maintenance is fiscally prudent, as it is more costly to restore facility landscape to adequate conditions due to overgrowth.
4. **Innovation** – The Agreement ensures that sport parks are maintained and continue to be utilized for various community needs.
5. **Sustainability & Resiliency** – Landscape maintenance preserves the beautification and maintenance of sports park for future use.

FISCAL IMPACT:

The total fiscal impact of this action for the remainder of the fiscal year is \$880,000. \$556,000 is available in the General Fund, Parks & Recreation-Parks, Neighborhood Maintenance Contract account number 5215000-421204. The remaining balance of \$324,000 will be transferred from personnel from within the Parks Department, utilizing a portion of the department's projected salary savings.

Prepared by:	Pamela M. Galera, Parks, Recreation and Community Services Director
Certified as to availability of funds:	Edward Enriquez, Interim Assistant City Manager/Chief Financial Officer/City Treasurer
Approved by:	Kris Martinez, Assistant City Manager
Approved as to form:	Phaedra A. Norton, City Attorney

Attachment: Third Amendment to Agreement