City Council Memorandum

City of Arts & Innovation

TO: **HONORABLE MAYOR AND CITY COUNCIL** **DATE: JANUARY 17, 2023**

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

SUBJECT: **SERVICE AGREEMENT WITH BRIGHTVIEW LANDSCAPE SERVICES, INC., FOR LANDSCAPE MAINTENANCE AND IRRIGATION REPAIR SERVICES AT VARIOUS CITY FACILITIES FOR THE TERM OF JANUARY 1, 2023, THROUGH JUNE 30, 2023, IN THE AMOUNT OF $120,600.23; PLUS, A CHANGE ORDER AUTHORITY OF 25% IN THE AMOUNT $30,150.06 FOR A TOTAL CONTRACT AMOUNT OF $150,750.29**

ISSUE:

Approve a professional services agreement with BrightView Landscape Services, Inc. for landscape maintenance and irrigation services at various City Facilities for the term of January 1, 2023, through June 30, 2023, in the amount of $120,600.23; and change order authority of 25% in the amount $30,150.06 for a total contract amount of $150,750.29.

RECOMMENDATIONS:

That the City Council:

1. Approve the agreement with BrightView Landscape Services, Inc for landscape maintenance and irrigation repair services for the term of January 1, 2023, through June 30, 2023, in the amount of $120,600.23.
2. Authorize the City Manager, or designee, to execute the Agreement with BrightView Landscape Services, Inc., 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 $30,150.06.

BACKGROUND:

On October 26, 2015, the Parks, Recreation and Community Services Department (PRCSD) posted a Request for Proposal No. 1556 for Annual Landscape Maintenance of Various City Facilities.

On November 5, 2015, five companies attended the non-mandatory pre-proposal conference.

On December 8, 2015, the City received eight proposals. Based on evaluation on qualifications, experience, equipment, and price. After further review staff found two proposals to be responsive and invited those companies to present information to the evaluation committee on their qualifications and their plan to execute the work. An agreement was recommended to be executed with So Cal Land Maintenance, Inc., to provide landscape maintenance services at the following City facilities: Fire Department: Emergency Operations Center; General Services Department: Corporation Yard; Library Department: Arlanza Library, Arlington Library, Casa Blanca Library, La Sierra Library, Main Library; Museum Department's Fox Theater; PRCSD: Marcy/PRCSD Administration; Police Department: Downtown Police Station, Lincoln Street Police Station, Riverside Police Aviation Unit, and Transportation Center/Police Administration Building; and Public Utilities Department's Casa Blanca Customer Resource Center.

On February 23, 2016, City Council approved the agreement with So Cal Land Maintenance, Inc. for Landscape Maintenance Services Agreement at various City Facilities for the term of March 1, 2016, through December 31, 2017.

On January 3, 2018, the PRCSD and So Cal Land Maintenance, Inc. entered into the first amendment to the agreement to extend the term through December 31, 2018.

On November 5, 2018, the PRCSD and So Cal Land Maintenance, Inc. entered into the second amendment extending the term through December 31, 2019.

On January 14, 2020, the PRCSD and So Cal Land Maintenance, Inc. entered into the third amendment extending the term to December 31, 2020.

On November 17, 2020, due to COVID, in the interest of mitigating financial hardships throughout the City, Departments were allowed to extend the agreement for an additional two-year term ending on December 31, 2022. This was done in accordance with Purchasing Resolution No. 23256 Section 702 (g) which stated: Competitive Procurement through the Informal Procurement and Formal Procurement process shall not be required in any of the following circumstances: When 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 or 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.

On January 25, 2022, the City of Riverside Public Works Department released RFP 2164 for landscape and general outside maintenance services.

On June 28, 2022, City Council awarded the agreement to Brightview Landscape Services, Inc.

DISCUSSION:

The PRCSD oversees and manages the landscape maintenance services agreement at City facilities for various departments, including Fire, General Services, Library, Museum, Police, and Public Utilities. Included in pricing is an additional $2,920.52 per month to address irrigation repairs. Irrigation is charged to departments as needed.

The current agreement with So Cal Land Maintenance, Inc. will terminate on December 31, 2022. To ensure services are maintained at City facilities, the PRCSD is requesting to enter into a six-month agreement with Brightview Landscape Services, Inc., based off Public Works Department's RFP 2164. Per the agreement term extra work for additional facilities can be added at $.02 per square foot in year one of the agreement. Brightview has agreed to extend the pricing to PRCSD for a six-month term of January 1, 2023, through June 30, 2023.

The PRCSD is in the process of issuing a Request for Proposal for landscape services for City facilities. The agreement with Brightview Landscape Services, Inc. will allow the department to complete the RFP process and have a competitively bid agreement in place by July 1, 2023.

This Agreement is in accordance with Purchasing Resolution No. 23914 section 702(h) which states, *"Competitive Procurement through the Informal Procurement and Formal Procurement process shall not be required 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 section 702 (h).

STRATEGIC PLAN ALIGNMENT:

The work contributes to **Strategic Priority 1 – Arts, Culture and Recreation**, which aims to provide diverse community experiences and personal enrichment opportunities for people of all ages 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 city facilities serve the public interest, benefit the City's diverse populations, and result in greater public good.

2. **Equity** – Well maintained facilities 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 facilities are maintained and continue to be utilized for various community needs.

5. **Sustainability & Resiliency** – Landscape maintenance preserves the beautification and maintenance of facilities for future use.

FISCAL IMPACT:

The total fiscal impact of this agreement is up to $150,750.29. The amount of the agreement will be $120,600.23 with a 25% change order authority in the amount $30,150.06 for a total of $150,750.29. Irrigation repairs will be charged to accounts as needed. The chart below identifies the locations and accounts:

Fund	Program	Account	Amount
General Fund	GS – Bld Service Maintenance	2210000-421000	$14,448.72
	N/D – GS Magnolia	7222000-421000	$24,245.50
	Library Administration	5130000-421000	$17,819.28
	Parks & Recreation-Parks	5215000-421000	$547.80
	Fire – Special Services	3515000-421000	$2,820.00
	Police – Admin Services	3105000-421000	$28,233.86
	CD - Homeless Camp Services	2855304-424130	$446.76
Entertainment	Fox Theater	2880000-421000	$210.00
Electric	Public Utilities – Bld Occupancy	6000010-421000	$14,305.20
		Subtotal:	$103,077.12
	Irrigation Repair Services	Various	$17,523.11
	Change Order	Various	$30,150.06
		Total:	**$150,750.29**

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: First Amendment for Annual Landscape Maintenance at Various City Facilities