



# City Council Memorandum

City of Arts & Innovation

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**TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: MARCH 16, 2021**

**FROM: PUBLIC WORKS DEPARTMENT      WARDS: 1**

**SUBJECT: FIFTH AMENDMENT TO AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES FOR DOWNTOWN AREA WITH BRIGHTVIEW LANDSCAPE SERVICES, INC. IN THE AMOUNT OF \$202,153 FOR SERVICES THROUGH JUNE 30, 2022**

**ISSUE:**

Approve the Fifth Amendment to Agreement for Landscape Maintenance Services with Brightview Landscape Services, of Calabasas, California, for Downtown Area Landscaping in the amount of \$202,153 for services through June 30, 2022, in accordance with Purchasing Resolution 23256, Section 702(g).

**RECOMMENDATIONS:**

That the City Council:

1. Approve the Fifth Amendment to Agreement for Landscape Maintenance Services for Downtown Area with Brightview Landscape Services, Inc. of Calabasas, California, for a term of July 1, 2021 through June 30, 2022 in the amount of \$202,153, in accordance with Purchasing Resolution 23256, Section 702(g); and
2. Authorize the City Manager, or his designee, to execute the Fifth Amendment to the Agreement for Landscape Maintenance Services for Downtown Area with Brightview Landscape Services, Inc., including making minor and non-substantive changes.

**BACKGROUND:**

On January 26, 2015, the City of Riverside posted Request for Proposals (RFP) 1479 in an effort to solicit proposals from qualified landscape contractors to provide complete landscape maintenance services for the downtown area. Five proposals were received. After an evaluation of each contractor's qualification and experience, the top two candidates were invited to an interview with Public Works Department and Purchasing Division staff and Valley Crest Landscape Maintenance, of Calabasas, later known as Brightview Landscape Services (BLS), was determined to be the most qualified bidder. The agreement and extensions ending on June 30, 2021 were approved by City Council on June 23, 2015.

The Public Works Department entered into a Maintenance Services Agreement with Valley Crest

Landscape for landscape maintenance of the downtown area with an original execution date of July 28, 2015 and a term ending June 30, 2018. The original three-year agreement was negotiated at a rate of \$183,776 annually. Compensation for three optional one-year extensions was approved based on availability of budgeted funds when each option was exercised with the second, third, and fourth amendments. Services include routine landscape maintenance, irrigation repairs, plant replacements and enhanced services for special events.

On November 7, 2016 the First Amendment was executed assigning the agreement to Brightview Landscape Services. The Second Amendment was the first extension and was executed on June 7, 2018. The Third Amendment was the second extension and was executed on May 2, 2019. The Fourth Amendment was the third and final originally approved extension and was executed on March 10, 2020 with an end date of June 30, 2021.

In an effort to maintain fiscal stability throughout the COVID-19 pandemic in an otherwise unpredictable environment, the City's Finance Department has considered contract extensions through June 30, 2022 if a vendor agrees to maintain current pricing at the current level of services throughout the extended term. This exception to competitive procurement is provided for under Section 702(g) of Purchasing Resolution 23256 which allows for services to "be Procured from a Contractor who offers the same and 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." Since BLS was agreeable and the Public Works Department is satisfied with their performance, staff recommends amending the Agreement to extend the term.

There is no change in compensation associated with the proposed Fifth Amendment.

The Purchasing Manager concurs that the recommendation to approve is in compliance with Purchasing Resolution 23256.

**FISCAL IMPACT:**

The fiscal impact of this action is \$202,153. Sufficient funds are included in the Public Works, General Fund, Forestry & Landscape division Landscape Maintenance account number 4110110-421203.

Prepared by: Kris Martinez, Public Works Director  
Certified as to  
availability of funds: Edward Enriquez, Chief Financial Officer/Treasurer  
Approved by: Rafael Guzman, Assistant City Manager  
Approved as to form: Kristi J. Smith, Interim City Attorney

Attachments: Fifth Amendment