



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: JULY 26, 2016**

FROM: PUBLIC WORKS DEPARTMENT **WARDS: 1, 3, 5, 6 AND 7**

SUBJECT: SECOND AMENDMENT TO AGREEMENT WITH INLAND EMPIRE LANDSCAPE FOR LANDSCAPE MAINTENANCE SERVICES FOR NORTH QUADRANT PARKWAYS AND MEDIANS TO INCREASE THE COMPENSATION FOR REPAIRS AND ADD ADDITIONAL SERVICES AREAS FOR FISCAL YEAR 2015/2016, ADDING \$167,917.16 FOR A TOTAL THREE-YEAR CONTRACT NOT TO EXCEED AMOUNT OF \$1,287,360.26

ISSUE:

Approval of the Second Amendment to the Agreement For Landscape and Maintenance Services for North Quadrant Parkways and Medians with Inland Empire Landscape to increase the total compensation by \$167,917.16 for necessary repairs and add service areas in fiscal year 2015/16, total contract not to exceed \$1,287,360.26, for a term ending June 30, 2016.

RECOMMENDATION:

That the City Council:

1. Approve the Second Amendment to the Agreement For Landscape and Maintenance Services for North Quadrant Parkways and Medians with Inland Empire Landscape, Inc. increasing the total compensation by \$167,917.16, due to an increase in the service area and unanticipated repairs, for a total contract not to exceed \$1,287,360.26, contract term ending June 30, 2016; and
2. Authorize the City Manager, or his designee, to execute the Second Amendment to the Agreement for Landscape and Maintenance Services for North Quadrant Parkways and Medians with Inland Empire Landscape, including making minor and non-substantive changes.

BACKGROUND:

On June 11, 2013, the City Council awarded the contract for RFP No. 1370 for Landscape Maintenance Services for the North Quadrant Parkways and Medians to Inland Empire Landscape, Inc. for:

1. A contract amount of \$1,047,168, with a term ending June 30, 2016, with up to two one-year extensions; and

2. Authorized the Public Works Director to negotiate change orders needed during term of the contract for a total cumulative amount not to exceed 10% of the amended contract.

The contract amount as set forth in the agreement only includes funds for the basic routine monthly maintenance services, including but not limited to, mowing, pruning, and trash pickup. The agreement requires the contractor to perform repairs and assume maintenance of additional areas within the service boundaries, if needed, at specified rates set forth in the agreement.

On December 16, 2014, the City Council approved the First Amendment to the Agreement with Inland Empire Landscape for Landscape Maintenance Services for the North Quadrant Parkways and Medians to

1. Increase the total compensation by \$72,275.70 due to an increase of 161,409 square feet in landscaping within the service area, primarily located at newly constructed grade separations and medians; and
2. Authorized the Public Works Director to negotiate additional work, if needed, during the term of the contract for a total cumulative amount not to exceed 10% of the amended contract.

DISCUSSION:

The North Quadrant has experienced a higher than normal amount of irrigation, backflow repairs, and plant replacements due to aging infrastructure and an increase in vandalism. Additionally, the recent drought restrictions reduced watering and led to more irrigation leaks that occur as valves dry out from infrequent usage. These issues necessitated the use of the 10% change order authority, which equated to \$111,944.31.

Public Works staff regularly monitored the work in an attempt to minimize repairs and remain within the City Council approved appropriation. Unfortunately, continued unexpected vandalism and irrigation failures throughout the North Quadrant resulted in additional unanticipated repair related expenses.

The second amendment to the agreement also increases the compensation to accommodate four new landscaping areas that were added in 2015 totaling approximately 77,586 square feet, as is noted in the table below.

Area	Date Added	Square Footage
Van Buren Median from Audrey to Jackson	4/06/2015	20,543
Ninth Street and Loring Drive Median	10/1/2015	2,500
Mono Drive	11/24/2015	8,121
Collett Parkways from Napa to Buchanan	12/15/2015	46,422

The Second Amendment to the Agreement with Inland Empire Landscape for Landscape Maintenance Services for the North Quadrant Parkways and Medians will result in an increase of \$167,917.16, which includes the 10% in change orders approved to date (\$111,944.31) plus an additional 5%, (\$55,972.95), for a total amount not to exceed amount of \$1,287,360.26 for the three year contract which term ended June 30, 2016.

Contract Date	Contract Terms	Contract Amount	Amendment	10% Change Order	Total not to Exceed Amount
06/14/2013	7/01/2013 – 6/30/2016	\$1,047,168		\$104,716.80	\$1,151,884.80
5/08/2014 First Amendment	6/19/2014 – 6/30/2015	\$1,047,168	\$72,275.10	\$111,944.31	\$1,231,387.41
Second Amendment	7/01/2015 – 6/30/2016	\$1,119,443.10	\$167,917.26	\$0.00	\$1,287,360.26

FISCAL IMPACT:

There are sufficient funds available in the Public Works Department Account No. 4110110-421203 (Fiscal Year 2015-16 Landscaping Budget) to accommodate this request.

Prepared by: Kris Martinez, Public Works Director
 Certified as to availability of funds: Scott G. Miller, Interim Finance Director/Treasurer
 Approved by: Al Zelinka, FAICP, Assistant City Manager
 Approved as to form: Gary G. Geuss, City Attorney

Attachment: Second Amendment to the Agreement for Landscape Maintenance Services for the North Quadrant Parkways and Medians