



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: JULY 16, 2024

FROM: PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT WARD: 1

SUBJECT: THIRD AMENDMENT TO THE AGREEMENT WITH RPW SERVICES INC. TO PROVIDE ANNUAL LAKE MAINTENANCE SERVICES AT FAIRMOUNT PARK TO INCREASE THE CONTRACT AMOUNT OF THE FINAL YEAR OF THE AGREEMENT BY \$16,044 TO \$58,000 FOR A REVISED TOTAL CONTRACT AMOUNT OF \$225,824, AND UPDATE THE 25% CHANGE ORDER AUTHORITY AMOUNT TO \$56,456 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$282,280 FOR THE TERM ENDING JUNE 30, 2025

ISSUE:

Approve the Third Amendment to the professional services agreement with RPW Services, Inc., to provide annual lake maintenance services at Fairmount Park, increasing the final year of the agreement by \$16,044 to \$58,000 for a total contract amount of \$225,824 for the extended term, and update the change order authority of 25% to the amount of \$56,456.00 for a total contract amount not to exceed \$282,280 for the remaining term of the agreement ending June 30, 2025.

RECOMMENDATIONS:

That the City Council:

1. Approve the Third Amendment agreement with RPW Services, Inc. for annual lake maintenance services to increase the final year of the contract amount by \$16,044 to \$58,000, for a total contract amount to \$225,824 for the extended term of the agreement ending June 30, 2025;
2. Approve updated 25% change order authority to the amount of \$56,456 for a total amount of \$282,280 for the remaining term of the agreement ending June 30, 2025; and
3. Authorize the City Manager, or designee, to execute the Agreement with RPW Services, Inc., including making minor and non-substantive changes and to extend the term for up to one additional one-year period, subject to the same terms and conditions and availability of funds.

BACKGROUND:

The Parks, Recreation and Community Services Department is responsible for the annual maintenance of the lakes at Fairmount Park. On December 20, 2019, Request for Proposal (RFP) No. 2006 was released, soliciting qualified vendors to provide annual lake maintenance services at Fairmount Park. A non-mandatory pre-proposal meeting was held on January 9, 2020, and final proposals were due on January 29, 2020.

After careful consideration, RPW Services, Inc. of Fullerton, California was ranked as the most qualified responder to best meet the requirements and scope of services found in RFP No. 2006.

On June 16, 2020, City Council approved the Professional Services agreement with RPW Services, Inc. in the amount of \$209,780 with a 25% change order authority of \$52,445 for the term of July 1, 2020, through June 30, 2025.

DISCUSSION:

The Parks, Recreation and Community Services Department is requesting an amendment to the contract as a result of inflationary costs the contractor is experiencing in servicing and maintaining the lake.

The Parks Division management has reviewed the proposed increase and believe it is reasonable due to the increase in costs of chemicals and labor to maintain the current service levels. The terms of this amendment will be effective July 1, 2024, through June 30, 2025.

Purchasing Resolution No. 24101 Section 1104 states, "Unless otherwise specifically authorized by the Awarding Entity, Change orders which cumulatively exceed the following will require Awarding Entity approval... (c) 10% of the original contract price for Contracts and/or Purchase Orders previously approved by the Awarding Entity and the total Change Order amount will not exceed \$150,000."

The Purchasing Manager concurs that the recommended actions are compliant with Purchasing Resolution No. 24101, Section 1104 (c).

STRATEGIC PLAN ALIGNMENT:

This item 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.

This item supports **goal 1.3**, Improve parks, recreational amenities, open space, and trail development, and fulfill critical lifecycle and facility maintenance needs.

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

1. **Community Trust** - Well maintained parks and lake serve the public interest, benefit the City's diverse populations, and result in greater public good.
Maintaining the lake contributes to public safety by preventing an overgrowth of

algae in the water and fish thriving due to proper maintenance and overall health of the water quality.

2. **Equity** - Well maintained parks make parks accessible to the public for use and contribute to public safety when utilizing parks.
3. **Fiscal Responsibility** – Lake maintenance on a schedule will reduce the long terms costs of maintaining the proper water quality/level and help reduce the amount of algae in the lake.
4. **Innovation** - The Agreement ensures that parks are maintained and continue to be utilized for various community needs.
5. **Sustainability & Resiliency** – Well maintained parks preserve parks ensuring they are maintained and preserved for future use.

FISCAL IMPACT:

The total fiscal impact of the action is \$72,500, which includes the amended amount of \$16,044 plus the additional change order authority of \$56,456. The costs for the previous four years and the current year amendment are outlined in the table below.

| Fiscal Impact of RFP 2006 | | | |
|------------------------------|----------------|-----------------------|--------------|
| Terms | Account No. | Account Name | Amount |
| July 1, 2020 – June 30, 2022 | 5215000-421000 | Professional Services | \$83,912.00 |
| July 1, 2022 – June 30, 2023 | 5215000-421000 | Professional Services | \$41,956.00 |
| July 1, 2023 – June 30, 2024 | 5215000-421000 | Professional Services | \$41,956.00 |
| July 1, 2024 – June 30, 2025 | 5215000-421000 | Professional Services | \$58,000.00 |
| 25% Change Order | 5215000-421000 | Professional Services | \$56,456.00 |
| Total | | | \$282,280.00 |

Prepared by: Jorge Rocha, Administrative Analyst
Approved by: Pamela M. Galera, Parks, Recreation and Community Services Director
Certified as to
availability of funds: Kristie Thomas, Finance Director/Assistant Chief Financial Officer
Approved by: Kris Martinez, Assistant City Manager
Approved as to form: Phaedra A. Norton, City Attorney

Attachment: RPW Lake Maintenance Amendment No. 3