

**City of Culver City, California
Agenda Item Report**

Meeting Date: <u>06/23/14</u>		Item Number: <u>JC-2</u>	
JOINT CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY/PARKING AUTHORITY AGENDA ITEM: (1) Pursuant to Culver City Municipal Code Section 3.07.075(E)(3), Determine That Compliance with the Formal Bid Procedures Would be Impractical, Waive the Formal Bid Requirements, and Deem It to be in the City's Best Interest to Authorize a Negotiated Contract; and (2) Approval of a Two-Year Extension to the Professional Services Agreement with Marina Landscape to Provide Landscape Maintenance Services and Additional As-Needed Services on a Contingency Basis for a Term Ending on June 30, 2016 in an Amount Not-To-Exceed \$548,509.50.			
Contact Person/Dept.: Patrick Reynolds, Parks Manager		Phone Number: (310) 253-6470	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☐	
Public Notification: (E-Mail) Meetings and Agendas – City Council (06/17/14); (E-Mail) Marina Landscape (06/17/14).			
Commission Action Required: Yes ☐ No ☒		Date: _____	
Department Approval: Dan Hernandez (06/17/14)		City Attorney Approval: Carol Schwab (by H. Baker) (06/17/14)	
Chief Financial Officer Approval: Jeff Muir (06/17/14)		City Manager/Executive Director Approval: John M. Nachbar (06/17/14)	
<u>RECOMMENDATION:</u> Staff recommends that the City Council and the Boards of the Successor Agency, the Housing Authority and the Parking Authority (collectively, "Boards"): (1) pursuant to Culver City Municipal Code Section 3.07.075(E)(3), determine that compliance with the Formal Bid Procedures would be impractical, waive the Formal Bid Requirements, and deem it to be in the City's best interest to authorize a negotiated contract; and (2) approve a two-year extension to the professional services agreement with Marina Landscape to provide landscape maintenance services and additional as-needed services on a contingency basis for a term ending on June 30, 2016 in an amount not-to-exceed \$548,509.50. <u>BACKGROUND:</u> Although personal and professional services are exempted from the formal bidding process pursuant to Culver City Municipal Code (CCMC) § 3.07.085, due to the extensive scope of services involved, a formal bid process was initiated for landscape maintenance services in early 2009. On June 22, 2009 the City Council awarded a two year contract for landscape maintenance services to Marina Landscape in the amount of \$308,904 (\$154,452 annually) for the period July 1, 2009 through June 30, 2011 for the following areas:			

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- City Hall, Fire Station #1, Police Station, downtown streetscape and parking lots;
- Ballona Creek, Studio Estates, and Higuera Street Landscape Maintenance Districts; and
- Various landscape areas including the (former) Armory, Culver Boulevard Bikeway, Hayden Avenue Tree Planters, Ocean Drive (CCHS Bridge Approach), Public Services Building, Sanitation Transfer Station, Culver City sign slope, Los Angeles County Library, Transportation Facility, Senior Center, sewer lift stations, parkways, strips and cul-de-sacs and median islands.

Subsequently, Fire Station #3 was added to the scope of services being provided by Marina Landscape for an additional amount of \$4,800 annually. On November 16, 2009, the agreement was amended to become a tri-party agreement with the former Culver City Redevelopment Agency (former CCRA) in order to include service to former CCRA owned properties. An amendment was also added on behalf of the Public Works/Engineering Department for the Ballona Creek Bikeway.

On June 13, 2011, the City and the former CCRA Board approved an agreement with Marina Landscape for \$649,275 (\$216,425 annually) for the period July 1, 2011 through June 30, 2014. This second agreement involved the following areas:

- City-wide Landscape Areas and Fire Station #3
- Ballona Creek Bikeway
- Media Park & Various Vacant Lots
- Area Improvement Plan Projects (Phases I & II)

DISCUSSION:

The City has utilized the services of Marina Landscape for a period of five years. Culver City Municipal Code (CCMC) § 3.07.050 provides in pertinent part:

In the event the same supplier, contractor or consultant has been utilized for a period of five (5) years, the formal or informal bidding procedures as set forth in §§ 3.07.075 and 3.07.080 of this Subchapter shall apply.

Culver City Municipal Code (CCMC) § 3.07.075.E.3 provides, in pertinent part:

Rejection or waiver of bid requirements - Upon determining that conformance with the procedures set forth in this Section would be contrary to the best interests of the City or upon determining that compliance with the procedures would be impractical, the City Council may waive any or all of the requirements of this Section and, if it deems it to be in the City's best interest, authorize a negotiated contract.

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For the following reasons, staff recommends the City Council waive the formal bid procedures as compliance with such procedures would be impractical and deem it to be in the City's best interest to authorize a negotiated contract:

- 1 - Marina Landscape is a superior provider of landscape maintenance services: Over the past several years, staff has observed that the services rendered by Marina Landscape have been excellent. The company and their staff members have proven to be professional, detail oriented, properly supervised, and perform above industry standards.
- 2 - There are only minimal changes to the previous scope of work: The scope of work in the proposed extension to the contract is almost identical to that of the 2011/2014 agreement. The only sites that have been added are (1) the downtown landscape area that, until recently, was overseen by the DBA (note: this area was in the 2009/2011 Marina Landscape agreement) and (2) the Metro/Expo Line landscape area.
- 3 - Marina Landscape provides great value to the City: The services provided by Marina Landscape are competitively priced. In addition, staff has renegotiated many areas of work so that the net amount for same work between the City, Successor Agency, the Housing Authority, and the Parking Authority is lower with additional costs related only to the two newly added sites mentioned above and a cost-of-living adjustment (COLA) of 4%. This is the first time in five years of doing business with the City that Marina Landscape has requested a COLA.
- 4 - An extension of the Marina Landscape agreement will prevent delays to important Parks Division projects that have been scheduled and/or are anticipated to begin in the near future: Parks Division staff is in the process of completing the Phase I Design of landscape areas in the Town Plaza and Restaurant Row and is ready to begin planting. Marina Landscape has already provided separate cost estimates for this work. If staff is unable to get an extension to the Marina Landscape agreement, then valuable staff time will be diverted from these and other important projects while the focus shifts to the bid/negotiation process. Parks Division staff will lose the momentum gained while working with Marina Landscape on planning upcoming landscaping projects.

FISCAL ANALYSIS:

The Attachment details the landscape maintenance sites and associated costs. The total agreement amount for the two year period ending June 30, 2016 is \$498,645.00 (\$249,322.50 annually). Both the Parks Division and the Community Development Department are requesting 10% in contingency funds in case of

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unforeseen circumstances and/or emergencies. The total contingency amount is \$49,864.50 (\$24,932.25 annually), bringing the total amount requested for approval to \$548,509.50 (\$274,254.75 annually). There are sufficient funds in the Fiscal Year 2014/2015 Budget in the division accounts associated with each of the properties. Funding for the second year of the agreement will be included in the Proposed Fiscal Year 2015/2016 Budget.

ATTACHMENT:

Marina Landscape – Landscape Maintenance Services for the City of Culver City, the Successor Agency, the Housing Authority, and the Parking Authority for the Period July 1, 2014 through June 30, 2016.

MOTION:

That the City Council, the Successor Agency, the Housing Authority and the Parking Authority Boards:

Pursuant to Culver City Municipal Code Section 3.07.075(E)(3), determine that compliance with the formal bid procedures would be impractical, waive the formal bid requirements, and deem it to be in the City's best interest to authorize a negotiated contract; and,

Approve a two-year extension to the professional services agreement with Marina Landscape to provide landscape maintenance services, and additional, as-needed services on a contingency basis for a term ending on June 30, 2016 in an amount not-to-exceed \$548,509.50; and,

Authorize the City Attorney/General Counsel to review/prepare the necessary documents; and,

Authorize the City Manager/Executive Director to execute such documents on behalf of the City, the Successor Agency, the Housing Authority, and the Parking Authority.