

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

Meeting Date: <u>06/13/11</u>		Item Number: <u>JC-2</u>	
JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD AGENDA ITEM: Approval of a Tri-Party Professional Services Agreement with Marina Landscape to provide Landscape Maintenance Services for the Period July 1, 2011 through June 30, 2014.			
Contact Person/Dept.: Patrick Reynolds, Parks Manger; John Fisanotti, Project Manager-Redevelopment Agency; Lee Torres, Associate Engineer.		Phone Number: (310) 253-6470; (310) 253- 5767; and, (310) 253-5623, respectively.	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☐	
Commission Action Required		Yes ☐ No ☒ Date: _____	
Public Notification: (E-Mail) Meetings and Agendas – City Council (06/08/11); (E-Mail) Meetings and Agendas – Redevelopment Agency (06/08/11); (E-Mail) Marina Landscape (06/08/11).			
Department Approval: Dan Hernandez (05/27/11); Sol Blumenfeld (06/06/11); Charles D. Herbertson (06/06/11)		City Attorney Approval: Carol Schwab (by H. Baker) (06/08/11) Agency General Counsel Approval: Murray Kane (06/08/11)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (06/08/11)		City Manager/Executive Director Approval: John M. Nachbar (06/08/11)	
<u>RECOMMENDATION:</u> Staff recommends the City Council and the Redevelopment Agency Board (Agency Board) approve a tri-party professional services agreement with Marina Landscape to provide landscape maintenance services for the period July 1, 2011 through June 30, 2014. <u>BACKGROUND:</u> Although personal and professional services are exempted from the formal bidding process pursuant to Culver City Municipal Code (CCMC) Section 3.07.085, due to the extensive scope of services involved, a formal bid process was initiated for landscape maintenance services in early 2009. The bid document required bidders to submit a price for the initial, two-year contract term and prices for two subsequent years, should the City choose to extend the contract. Eight bid proposals were received and reviewed by staff. 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 per year), which included the following areas in the scope of service:			

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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 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.

After Fire Station #3 was built, the responsibility for landscape maintenance services was given to the Parks Division. The Parks Division added Fire Station #3 to the scope of services being provided by Marina Landscape for an additional amount of \$400 monthly or \$4,800 annually.

On November 16, 2009, the agreement was amended to become a tri-party agreement with the Culver City Redevelopment Agency (Agency) in order to include service to Agency owned properties. An amendment was also added on behalf of the Public Works/Engineering Department for the Ballona Creek Bikeway so that today, landscape maintenance services are provided by Marina Landscape to multiple City-owned properties.

DISCUSSION:

The current agreement with Marina Landscape expires on June 30, 2011. Over the past two 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 above industry standards. In addition, the services provided by Marina Landscape are competitively priced. Therefore, staff recommends the City Council and the Agency Board approve a tri-party professional services agreement with Marina Landscape to provide landscape maintenance services for multiple City properties for the three year period July 1, 2011 – June 30, 2014. Pursuant to CCMC Section 3.07.050, in early 2014, a formal or informal bidding process will be initiated for landscape maintenance services since the same contractor (Marina Landscape) will have been utilized for a period of five years on the date that this agreement expires.

Contingency Account

Staff has observed that unforeseen circumstances sometimes arise requiring that additional repairs and/or extra maintenance be provided by Marina Landscape which are not covered under the scope of work for the basic weekly services. For example, water main breaks, auto accidents that damage irrigation devices or plantings, inclement weather and other such accidents or emergencies often require immediate attention. To address these types of occurrences and other unanticipated projects, staff is proposing that the Professional Service Agreement

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contain a contingency account to address these unforeseen circumstances. . The contingency account would be available for use upon approval of the City Manager/Executive Director. The proposed amount of the contingency account per project area is outlined in the table below. Please note that a contingency account was not requested for the Area Improvement Plan Projects as part of this agreement.

FISCAL ANALYSIS:

There is adequate funding for the following services in the City Manager's Proposed Budget for Fiscal Year 2011/2012. For the remaining years, the appropriate amounts will be included in the corresponding budgets for each project area. However, the grant funding that has been provided for the maintenance of the Ballona Creek Bikeway will expire after one year. Therefore, if the Parks Division becomes responsible for the maintenance of the Bikeway in Fiscal Year 2012/2013 and beyond, an enhancement request will be submitted to cover the costs.

Currently, the Phase I and Phase II Area Improvement Projects are maintained by Marina Landscaping. Funding for these services is provided directly by the associated Assessment Districts created for this purpose. Should the Phase III Assessment District receive voter approval and be formed, additional maintenance efforts will be required in Fiscal Year 2012/2013. The maintenance of these projects does not impact either the General Fund or Agency budget.

The following table presents a summary of the landscape maintenance services that are proposed to be included in the Marina Landscape agreement:

Originating Party	Service Location	Annual Amount				
Parks	City-wide plus Fire Station #3	\$154,452 \$4,800	Contingency Amount	Approx %	Annual Total	Account Number
	City-wide Total	\$159,252	\$16,823	10%	\$176,075	10133100.619800
PW/Eng.	Ballona Creek Bikeway	\$3,600	\$504	14%	\$4,104	41700900.619800
RA	Media Park/Vacant Lots	\$26,900	\$3,346	14%	\$30,246	48190100.619800
RA	Area Improvement Plan Projects: (1) Phase I Phase II	\$3,000 \$3,000			\$6,000	42551000.619800 42552000.619800
	Combined Total	\$190,752	\$20,673		\$216,425	
					\$649,275	3-Year Agreement Total

(1)The Assessment Districts for Phase I and Phase II of the Area Improvement Plan projects directly fund the costs of for their maintenance. A reserve fund has already been collected relative to contingency.

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MOTION:

That the City Council and Agency Board:

1. Approve a tri-party 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, 2014 in an amount not-to-exceed \$649,275; and,
2. Authorize the City Attorney and Agency General Council to review/prepare the necessary documents; and,
3. Authorize the City Manager/Executive Director to execute such documents on behalf of the City and Agency, respectively.