



City of Culver City

Staff Report

File #: 15-914, Version: 1

Item #: C-11.

CC:SA:HA:PA - (1) Waiver of Formal Competitive Bidding Procedures; and (2) Approval of an Amendment to the Existing Professional Services Agreement with Marina Landscape to Provide Landscape Maintenance Services, and Additional, As-Needed Services on a Contingency Basis for a One-Year Term Ending on June 30, 2017 in an Amount Not-To-Exceed \$299,034.26.

Contact Person/Dept: Patrick Reynolds, City Landscape Architect/Parks Manager
Phone Number: (310) 253-6470

Fiscal Impact: Yes No

General Fund: Yes No

Public Hearing:

Action Item:

Attachments: Yes No

Commission Action Required: Yes No

Commission Name:

Public Notification: (E-Mail) Meetings and Agendas - City Council (06/21/16)

Department Approval: Daniel Hernandez, PRCS Director (06/16/16)

RECOMMENDATION

Staff recommends that the City Council, and the Boards of the Successor Agency, the Housing Authority and the Parking Authority (collectively, "Boards"): (1) waive formal competitive bidding procedures; and (2) approve an amendment to the existing professional services agreement with Marina Landscape to provide landscape maintenance services, and additional as-needed services on a contingency basis for a one-year term ending on June 30, 2017 in an amount not-to-exceed \$299,034.26.

BACKGROUND

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:

- 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)

On June 23, 2014, the City Council and the Boards of the Successor Agency, the Housing Authority and the Parking Authority: (1) pursuant to Culver City Municipal Code Section 3.07.075(E)(3), determined that compliance with the formal bid procedures was impractical, waived the formal bid requirements, and deemed it to be in the City's best interest to authorize a negotiated contract; and (2) approved 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 (\$274,254.75 annually). At that time, the following sites were added to the Marina Landscape scope of work (1) the downtown landscape area that had been overseen by the Downtown Business Association (note: this area was in the 2009/2011 Marina Landscape agreement) and (2) the Metro/Expo Line landscape area.

Over the past several years, staff has ascertained that Marina Landscape is a superior provider of landscape maintenance services and provides great value to the City. The services provided by Marina Landscape are competitively priced. The company and their staff members have proven to be professional, detail oriented, properly supervised and above industry standards.

However, we plan to submit this contract to a competitive process following the expiration of this one year extension.

DISCUSSION

The City has utilized the services of Marina Landscape for a period of seven 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.

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 primarily due to the fact that an extension of the Marina Landscape agreement will prevent delays to important landscape maintenance projects that are already at various stages of completion, or are scheduled to begin in the near future. The funding for these projects was included in the Parks Division (Parks) and Community Development Department (CDD) Fiscal Year 2016/2017 budgets. An amendment extending the Marina Landscape agreement for a one-year term ending on June 30, 2017, would give staff and Marina Landscape sufficient time to complete these existing projects. The projects that staff feels would be adversely impacted by an interruption in the landscape maintenance services currently provided by Marina Landscape include:

PROJECT:

- Studio Estates Relandscape Phase I & II
- Media Park Relandscape Phase I & II
- Zanja Medians
- Fire Brush Abatement: Radio Tower
- Fire Brush Abatement Culver City Park/Lower Slopes
- Senior Center Parking Lot Phase II
- Sepulveda Village Relandscape
- Downtown Plaza Relandscape

MANAGED BY:

- Parks
- CDD
- CDD
- Parks/Public Works
- Parks
- Parks
- CDD
- Parks

Before the end of Fiscal Year 2016/2017, staff will initiate the formal competitive bidding procedures, and at that time should be in a better position to begin the transition process in a more efficient and effective manner, should a different landscape maintenance company be selected by the City Council.

FISCAL ANALYSIS

The Attachment details the landscape maintenance sites and associated costs. Those sites that are included in this agreement but were not listed in the 2014/2016 agreement, as presented at the June 23, 2014 City Council meeting, are marked with an asterisk. For the proposed term of service, the only price increase for those areas that were originally included in the 2014/2016 agreement is a cost-of-living adjustment (COLA) of 4%.

The total agreement amount for the one year period ending June 30, 2017, is \$271,849.33. Both the

Parks Division and the Community Development Department are requesting 10% in contingency funds in case of unforeseen circumstances and/or emergencies. The total contingency amount is \$27,184.93, bring the total amount requested for approval to \$299,034.26. There are sufficient funds in the City Council Adopted Fiscal Year 2016/2017 Budget in the division accounts associated with each of the properties.

ATTACHMENT

Marina Landscape - Landscape Maintenance Services Sites for the Period July 1, 2016 through June 30, 2017.

MOTIONS

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

1. Pursuant to Culver City Municipal Code Section 3.07.075(E)(3), waive the formal competitive bidding procedures; and,
2. Approve an amendment to the professional services agreement with Marina Landscape to provide landscape maintenance services, and additional as-needed services on a contingency basis for a one-year term ending on June 30, 2017 in an amount not-to-exceed \$299,034.26; and,
3. Authorize the City Attorney/General Counsel to review/prepare the necessary documents; and,
4. 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 Boards.