



REPORT OF GENERAL MANAGER

NO. 16-089

DATE April 06, 2016

C.D. All

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AS-NEEDED LANDSCAPE CONSTRUCTION, RETROFIT, MAINTENANCE AND/OR REPAIR SERVICES — CONTRACT AMENDMENTS (VARIOUS)

R. Barajas	_____	K. Regan	_____
H. Fujita	_____	*N. Williams	<u>NDW</u>
V. Israel	_____		



 General Manager

Approved _____ Disapproved _____ Withdrawn _____
 As Amended

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Amendment to each of the seven (7) contracts listed in Attachment A, substantially in the form on file in the Board Office, between the City of Los Angeles Department of Recreation and Parks (RAP) and each of the listed contractors for landscape construction, retrofit, maintenance and/or repair services, to extend the term of each contract from three (3) years to five (5) years, subject to approval of the Mayor in accordance with Executive Directive No. 3, of the City Council, and of the City Attorney as to form;
2. Find, in accordance with Charter Section 1022, that RAP does not have personnel available in its employ with sufficient time and expertise to undertake these specialized professional tasks and that it is more economical and feasible to secure these services by contract;
3. Direct the Board Secretary to transmit forthwith each proposed Amendment to the Mayor in accordance with Executive Directive No. 3 and, concurrently to the City Attorney, for review and approval as to form; and
4. Authorize the Board President and Secretary to execute each Amendment upon receipt of the necessary approvals.

SUMMARY:

RAP continues to have a need for landscape construction, retrofit, maintenance and/or repair services that staff cannot provide; therefore, one (1) or more landscape contractors are required. Currently, RAP has seven (7) landscaping contracts in place to perform current and future construction projects such as the installation of new vegetation and retrofitting sports fields. Many of

REPORT OF GENERAL MANAGER

PG. 2

NO. 16-089

our park facilities require continued landscaping upgrades and modifications to offer park patrons a safe and aesthetically pleasing experience. Additionally, RAP has been charged with providing landscaping and maintenance of public buildings, such as libraries, fire and police facilities and sites under the purview of the General Services Department. There are approximately one hundred fifty non-RAP facilities that need ongoing maintenance.

The current contracts for the firms listed on Attachment A are set to expire on June 4, 2016. RAP requests that the Board approve the Amendments to extend the term of the contracts by two (2) years, making the total contract length five (5) years and the expiration date June 4, 2018.

Amending the term of these contracts will allow RAP to continue using contractors with landscape construction and maintenance expertise and resources that the Department lacks. RAP operates over four hundred park properties and approximately two-thirds of them are more than forty years old. Many projects are time sensitive due to the grant requirements for expenditure of funds. These parks service more than one million patrons annually. Because the contracts are set to expire June 4, 2016, RAP does not have sufficient time to conduct the Request for Qualifications (RFQ) process. During the contract extension period, RAP will prepare an RFQ for landscape construction, retrofit, maintenance and/or repair services.

Currently, RAP does not have the necessary staff, expertise and equipment to perform landscape construction, retrofit, maintenance and/or repair services at its numerous park facilities. Having access to on-call, pre-qualified contractors who specialize in landscape construction, retrofit, maintenance and/or repair services will help ensure that RAP facilities are maintained in a safe operating condition with reduced interruption to public use when landscape construction, retrofit, maintenance and/or repair services are needed.

RAP is seeking authorization to prepare Amendments for each of the seven (7) contracts. The two (2) year extension increases the total term of each contract to five (5) years; thus, City Council approval is required. All other terms and conditions of the contracts remain unchanged.

Funding for projects will be provided from various funding sources including, but not limited to, Proposition A, Proposition K, Quimby, and Proposition 40.

FISCAL IMPACT STATEMENT:

Executing these Amendments has no impact to the Department's General Fund. The funds to be expended will be on an as-needed, per-project basis. The Department also receives monies from the City's General Fund to offset the costs associated with public building landscaping.

This report was prepared by Sharon J. Thomas, Management Analyst II, Finance Division.

**CITY OF LOS ANGELES
DEPARTMENT OF RECREATION AND PARKS
FINANCE DIVISION
LANDSCAPE CONSTRUCTION CONTRACTS**

ATTACHMENT A

CONTRACTOR	ADDRESS	CONTRACT NO.	START DATE	CURRENT END DATE
Accu Construction , Inc.	2098 S. Grand Ave., Ste A Santa Ana, CA 92705	3452	6/5/2013	6/4/2016
American Landscape	7013 Owensmouth Avenue Canoga Park, CA 91303	3448	6/5/2013	6/4/2016
Sani Group Inc. dba BMC Landscape Management	21004 Nordhoff Street Chatsworth, CA 91311	3449	6/5/2013	6/4/2016
Commercial Paving & Coating	2809 West Avenue 37 Los Angeles, CA 90065	3447	6/5/2013	6/4/2016
Earth Sculptures, Inc.	207 North Primrose Lane Indio, CA 92203	3450	6/5/2013	6/4/2016
Landscapes Unlimited, LLC	1201 Aries Drive Lincoln, NE 68512	3451	6/5/2013	6/4/2016

EXCERPT FROM THE MINUTES OF THE REGULAR MEETING
BOARD OF RECREATION AND PARK COMMISSIONERS
APRIL 6, 2016

16-089

AS-NEEDED LANDSCAPE CONSTRUCTION, RETROFIT,
MAINTENANCE AND/OR REPAIR SERVICES – CONTRACT
AMENDMENTS (VARIOUS)

Sharon Thomas, Management Analyst II of the Finance Division, presented Report No. 16-089 for approval of proposed Amendments to seven contracts for as-needed landscape construction, retrofit, maintenance and/or repair services to extend the contract term from three years to five years for each respective contract with a Charter Section 1022 determination for each respective Amendment. The proposed Amendment for Contract No. 3449 was corrected to appropriately reflect it as Amendment No. 2. The Board and Department staff discussed the timeline for obtaining City Council approval.

Public comments were invited; however, no requests for public comment were received for the Board Reports.

President Patsouras requested a Motion to approve the Board Reports as presented and Board Report No. 16-089 as amended, with the exception of Board Report No. 16-079 which was previously adopted by the Board. Commissioner Sanford moved that the Board Reports be approved, and that the Resolutions recommended in the Reports be thereby approved. Commissioner Alvarez seconded the Motion. There being no objections, the Motion was unanimously approved.

**AMENDMENT
TO CONTRACT NO. 3447
FOR
LANDSCAPE CONSTRUCTION, RETROFIT, MAINTENANCE and/or REPAIRS AT
VARIOUS PARK FACILITIES**

THIS AMENDMENT TO CONTRACT NO. 3447 is made and entered into this _____ day of _____, 20____, by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its BOARD OF RECREATION AND PARK COMMISSIONERS, hereinafter referred to as "CITY", and COMMERCIAL PAVING AND COATING, INC., a corporation, hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, on June 5, 2013, the CITY and CONTRACTOR entered into CONTRACT NO. 3447 ("CONTRACT") for Landscape Construction, Retrofit, Maintenance and/or Repair services at various Department of Recreation and Parks ("DEPARTMENT") facilities; and,

WHEREAS, the CONTRACT will expire on June 4, 2016, and the expertise of CONTRACTOR is still required and it is the desire of CITY to continue services with the CONTRACTOR who has demonstrated its capability to perform quality Landscape Construction, Retrofit, Maintenance and/or Repair services; and,

WHEREAS, the principal purpose of CITY entering into this AMENDMENT is to continue to utilize the expertise and services of CONTRACTOR in ongoing and future DEPARTMENT projects; and,

WHEREAS, in accordance with a Charter 1022 determination, the CITY finds that the Department does not have sufficient personnel available in its employ to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto,

IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. SECTION 2. TERM OF CONTRACT

Delete the Section in its entirety and replace with:

"The term of this contract shall be five (5) years from the date of execution subject however to earlier termination by DEPARTMENT as provided in Appendix A – The Standard Provisions for City Contracts."

All other terms and conditions of the CONTRACT shall remain unchanged.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to CONTRACT NO. 3447 to be executed by their respective duly authorized representatives.

Executed this _____ day
of _____, 2016

THE CITY OF LOS ANGELES, a municipal
corporation, acting by and through its BOARD OF
RECREATION AND PARK COMMISSIONERS

By _____
PRESIDENT

By _____
SECRETARY

Executed this _____ day
of _____, 2016

Commercial Paving And Coating

By _____
PRESIDENT

By _____
SECRETARY

Approved as to Form:

Date: _____

MICHAEL N. FEUER,,
City Attorney

By _____

DEPUTY CITY ATTORNEY

**AMENDMENT
TO CONTRACT NO. 3448
FOR
LANDSCAPE CONSTRUCTION, RETROFIT, MAINTENANCE and/or REPAIRS AT
VARIOUS PARK FACILITIES**

THIS AMENDMENT TO CONTRACT NO. 3448 is made and entered into this _____ day of _____, 20____, by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its BOARD OF RECREATION AND PARK COMMISSIONERS, hereinafter referred to as "CITY", and AMERICAN LANDSCAPE INC., a corporation, hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, on June 5, 2013, the CITY and CONTRACTOR entered into CONTRACT NO. 3448 ("CONTRACT") for Landscape Construction, Retrofit, Maintenance and/or Repair services at various Department of Recreation and Parks ("DEPARTMENT") facilities; and,

WHEREAS, the CONTRACT will expire on June 4, 2016 and the expertise of CONTRACTOR is still required and it is the desire of CITY to continue services with the CONTRACTOR who has demonstrated its capability to perform quality Landscape Construction, Retrofit, Maintenance and/or Repair services; and,

WHEREAS, the principal purpose of CITY entering into this AMENDMENT is to continue to utilize the expertise and services of CONTRACTOR in ongoing and future DEPARTMENT projects; and,

WHEREAS, in accordance with a Charter 1022 determination, the CITY finds that the Department does not have sufficient personnel available in its employ to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto,

IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. SECTION 2. TERM OF CONTRACT

Delete the Section in its entirety and replace with:

"The term of this contract shall be five (5) years from the date of execution subject however to earlier termination by DEPARTMENT as provided in Appendix A – The Standard Provisions for City Contracts."

All other terms and conditions of the CONTRACT shall remain unchanged.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to CONTRACT NO. 3448 to be executed by their respective duly authorized representatives.

Executed this _____ day
of _____, 2016

THE CITY OF LOS ANGELES, a municipal corporation, acting by and through its BOARD OF RECREATION AND PARK COMMISSIONERS

By _____
PRESIDENT

By _____
SECRETARY

Executed this _____ day
of _____, 2016

American Landscape Inc.

By _____
PRESIDENT

By _____
SECRETARY

Approved as to Form:

Date: _____

MICHAEL N. FEUER,,
City Attorney

By _____

DEPUTY CITY ATTORNEY

**AMENDMENT NO. 2
TO CONTRACT NO. 3449
FOR
LANDSCAPE CONSTRUCTION, RETROFIT, MAINTENANCE and/or REPAIRS AT
VARIOUS PARK FACILITIES**

THIS AMENDMENT TO CONTRACT NO. 3449 is made and entered into this _____ day of _____, 20____, by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its BOARD OF RECREATION AND PARK COMMISSIONERS, hereinafter referred to as "CITY", and Sani Group Inc. dba BMC Landscape Management, INC., a corporation, hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, on June 5, 2013, the CITY and CONTRACTOR entered into CONTRACT NO. 3449 ("CONTRACT") for Landscape Construction, Retrofit, Maintenance and/or Repair services at various Department of Recreation and Parks ("DEPARTMENT") facilities; and,

WHEREAS, the CONTRACT will expire on June 4, 2016 and the expertise of CONTRACTOR is still required and it is the desire of CITY to continue services with the CONTRACTOR who has demonstrated its capability to perform quality Landscape Construction, Retrofit, Maintenance and/or Repair services; and,

WHEREAS, the principal purpose of CITY entering into this AMENDMENT is to continue to utilize the expertise and services of CONTRACTOR in ongoing and future DEPARTMENT projects; and,

WHEREAS, in accordance with a Charter 1022 determination, the CITY finds that the Department does not have sufficient personnel available in its employ to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto,

IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. SECTION 2. TERM OF CONTRACT

Delete the Section in its entirety and replace with:

"The term of this contract shall be five (5) years from the date of execution subject however to earlier termination by DEPARTMENT as provided in Appendix A – The Standard Provisions for City Contracts."

All other terms and conditions of the CONTRACT shall remain unchanged.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to CONTRACT NO. 3449 to be executed by their respective duly authorized representatives.

Executed this _____ day
of _____, 2016

THE CITY OF LOS ANGELES, a municipal corporation, acting by and through its BOARD OF RECREATION AND PARK COMMISSIONERS

By _____
PRESIDENT

By _____
SECRETARY

Executed this _____ day
of _____, 2016

BMC Landscape Management, INC.

By _____
PRESIDENT

By _____
SECRETARY

Approved as to Form:

Date: _____

MICHAEL N. FEUER,
City Attorney

By _____

DEPUTY CITY ATTORNEY

**AMENDMENT
TO CONTRACT NO. 3450
FOR
LANDSCAPE CONSTRUCTION, RETROFIT, MAINTENANCE and/or REPAIRS AT
VARIOUS PARK FACILITIES**

THIS AMENDMENT TO CONTRACT NO. 3450 is made and entered into this _____ day of _____, 20____, by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its BOARD OF RECREATION AND PARK COMMISSIONERS, hereinafter referred to as "CITY", and EARTH SCULPTURES, INC., a corporation, hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, on June 5, 2013, the CITY and CONTRACTOR entered into CONTRACT NO. 3450 ("CONTRACT") for Landscape Construction, Retrofit, Maintenance and/or Repair services at various Department of Recreation and Parks ("DEPARTMENT") facilities; and,

WHEREAS, the CONTRACT will expire on June 4, 2016 and the expertise of CONTRACTOR is still required and it is the desire of CITY to continue services with the CONTRACTOR who has demonstrated its capability to perform quality Landscape Construction, Retrofit, Maintenance and/or Repair services; and,

WHEREAS, the principal purpose of CITY entering into this AMENDMENT is to continue to utilize the expertise and services of CONTRACTOR in ongoing and future DEPARTMENT projects; and,

WHEREAS, in accordance with a Charter 1022 determination, the CITY finds that the Department does not have sufficient personnel available in its employ to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto,

IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. SECTION 2. TERM OF CONTRACT

Delete the Section in its entirety and replace with:

"The term of this contract shall be five (5) years from the date of execution subject however to earlier termination by DEPARTMENT as provided in Appendix A – The Standard Provisions for City Contracts."

All other terms and conditions of the CONTRACT shall remain unchanged.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to CONTRACT NO. 3450 to be executed by their respective duly authorized representatives.

Executed this _____ day
of _____, 2016

THE CITY OF LOS ANGELES, a municipal corporation, acting by and through its BOARD OF RECREATION AND PARK COMMISSIONERS

By _____
PRESIDENT

By _____
SECRETARY

Executed this _____ day
of _____, 2016

Earth Sculptures, Inc.

By _____
PRESIDENT

By _____
SECRETARY

Approved as to Form:

Date: _____

MICHAEL N. FEUER,,
City Attorney

By _____

DEPUTY CITY ATTORNEY

**AMENDMENT
TO CONTRACT NO. 3451
FOR
LANDSCAPE CONSTRUCTION, RETROFIT, MAINTENANCE and/or REPAIRS AT
VARIOUS PARK FACILITIES**

THIS AMENDMENT TO CONTRACT NO. 3451 is made and entered into this _____ day of _____, 20____, by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its BOARD OF RECREATION AND PARK COMMISSIONERS, hereinafter referred to as "CITY", and LANDSCAPES UNLIMITED, LLC, a corporation, hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, on June 5, 2013, the CITY and CONTRACTOR entered into CONTRACT NO. 3451 ("CONTRACT") for Landscape Construction, Retrofit, Maintenance and/or Repair services at various Department of Recreation and Parks ("DEPARTMENT") facilities; and,

WHEREAS, the CONTRACT will expire on June 4, 2016 and the expertise of CONTRACTOR is still required and it is the desire of CITY to continue services with the CONTRACTOR who has demonstrated its capability to perform quality Landscape Construction, Retrofit, Maintenance and/or Repair services; and,

WHEREAS, the principal purpose of CITY entering into this AMENDMENT is to continue to utilize the expertise and services of CONTRACTOR in ongoing and future DEPARTMENT projects; and,

WHEREAS, in accordance with a Charter 1022 determination, the CITY finds that the Department does not have sufficient personnel available in its employ to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto,

IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. SECTION 2. TERM OF CONTRACT

Delete the Section in its entirety and replace with:

"The term of this contract shall be five (5) years from the date of execution subject however to earlier termination by DEPARTMENT as provided in Appendix A – The Standard Provisions for City Contracts."

All other terms and conditions of the CONTRACT shall remain unchanged.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to CONTRACT NO. 3451 to be executed by their respective duly authorized representatives.

Executed this _____ day
of _____, 2016

THE CITY OF LOS ANGELES, a municipal
corporation, acting by and through its BOARD OF
RECREATION AND PARK COMMISSIONERS

By _____
PRESIDENT

By _____
SECRETARY

Executed this _____ day
of _____, 2016

Landscapes Unlimited

By _____
PRESIDENT

By _____
SECRETARY

Approved as to Form:

Date: _____

MICHAEL N. FEUER,,
City Attorney

By _____

DEPUTY CITY ATTORNEY

**AMENDMENT
TO CONTRACT NO. 3452
FOR
LANDSCAPE CONSTRUCTION, RETROFIT, MAINTENANCE and/or REPAIRS AT
VARIOUS PARK FACILITIES**

THIS AMENDMENT TO CONTRACT NO. 3452 is made and entered into this _____ day of _____, 20____, by and between the CITY OF LOS ANGELES, a municipal corporation, acting by and through its BOARD OF RECREATION AND PARK COMMISSIONERS, hereinafter referred to as "CITY", and ACCU CONSTRUCTION, INC., a corporation, hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, on June 5, 2013, the CITY and CONTRACTOR entered into CONTRACT NO. 3452 ("CONTRACT") for Landscape Construction, Retrofit, Maintenance and/or Repair services at various Department of Recreation and Parks ("DEPARTMENT") facilities; and,

WHEREAS, the CONTRACT will expire on June 4, 2016 and the expertise of CONTRACTOR is still required and it is the desire of CITY to continue services with the CONTRACTOR who has demonstrated its capability to perform quality Landscape Construction, Retrofit, Maintenance and/or Repair services; and,

WHEREAS, the principal purpose of CITY entering into this AMENDMENT is to continue to utilize the expertise and services of CONTRACTOR in ongoing and future DEPARTMENT projects; and,

WHEREAS, in accordance with a Charter 1022 determination, the CITY finds that the Department does not have sufficient personnel available in its employ to undertake these specialized professional tasks and that it is more feasible to secure these services by contract;

NOW, THEREFORE, in consideration of the terms, covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto,

IT IS MUTUALLY AGREED that the CONTRACT be amended as follows:

1. SECTION 2. TERM OF CONTRACT

Delete the Section in its entirety and replace with:

"The term of this contract shall be five (5) years from the date of execution subject however to earlier termination by DEPARTMENT as provided in Appendix A – The Standard Provisions for City Contracts."

All other terms and conditions of the CONTRACT shall remain unchanged.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to CONTRACT NO. 3452 to be executed by their respective duly authorized representatives.

Executed this _____ day
of _____, 2016

THE CITY OF LOS ANGELES, a municipal corporation, acting by and through its BOARD OF RECREATION AND PARK COMMISSIONERS

By _____
PRESIDENT

By _____
SECRETARY

Executed this _____ day
of _____, 2016

Accu Construction, Inc.

By _____
PRESIDENT

By _____
SECRETARY

Approved as to Form:

Date: _____

MICHAEL N. FEUER,,
City Attorney

By _____

DEPUTY CITY ATTORNEY