

REPORT OF GENERAL MANAGER

NO. 16-047


DATE February 03, 2016

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LANDSCAPE CONSTRUCTION, RETROFIT, MAINTENANCE AND/OR REPAIRS AT VARIOUS PARK FACILITIES —AMENDMENT TO CONTRACT NO. 3449

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Approved _____ Disapproved _____ Withdrawn _____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 Contract No. 3449, substantially in the form on file in the Board Office, between the City of Los Angeles Department of Recreation and Parks (RAP) and Sani Group, Inc. dba BMC Landscape Management, Inc., for landscape construction, retrofit, maintenance and/or repair services at various park facilities, to reflect changes in the corporate structure of the company, subject to approval of the Mayor in accordance with Executive Directive No. 3 and of the City Attorney as to form;
2. Reaffirm, 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;
4. Authorize the Board President and Secretary to execute each Amendment upon receipt of the necessary approvals; and
5. Authorize the General Manager, or designee, to make technical corrections as necessary to the contract to carry out the intent of this Report.

REPORT OF GENERAL MANAGER

PG. 2

NO. 16-047

SUMMARY:

On December 10, 2012, the Board approved a Request for Qualifications (RFQ) for Landscape Construction, Retrofit, Maintenance and/or Repairs at various park facilities. The RFQ was released on March 5, 2013. On April 16, 2013, RAP received thirteen (13) proposals in response to the RFQ, including BMC Landscape Management, Inc. (BMC).

On May 1, 2013, the Board approved Report No. 13-122 awarding contracts to four (4) of the respondents, including BMC. Contract No. 3449 between RAP and BMC was executed on June 5, 2013 for a term of three (3) years.

During the first half of 2015, Sani Group, Inc. purchased BMC; the change of ownership became effective July 20, 2015. Sani Group, Inc. informed RAP of the change in ownership, stating it would still be doing business as BMC because BMC is an established brand.

On January 25, 2016, Sani Group, Inc. provided RAP with a signed, notarized letter on its company letterhead assuring RAP that there has been no change in the infrastructure of BMC because of the change in ownership. Sani Group, Inc. has retained all of BMC's assets and equipment, as well as its employees and existing customers (see Attachment A).

The Amendment to Contract No. 3449 will address the change in ownership by replacing Section 1 of the Contract ("Parties to Contract, Representatives and Notice") with the new legal entity's contact information. Additionally, because BMC continued to provide services to RAP while the change in ownership occurred, RAP is adding a ratification clause to the contract to enable RAP to pay for the services rendered while this Amendment awaits approval and execution. In order to add the ratification clause, the last section of the contract, "Section 7 – Incorporation of Documents," has been renamed "Section 8 – Incorporation of Documents," and Section 7 is now "Section 7 – Ratification."

RAP is seeking authorization to direct staff to prepare the Amendment to Contract No. 3449, and authorize the Board President and Secretary to execute the Amendment, subject to Mayor and City Attorney approval. All other terms and conditions of the contract remains unchanged.

Charter 1022 Determination

On January 13, 2013, the Personnel Department determined that there was insufficient staffing at RAP and in the City to provide landscape construction, retrofit, maintenance and/or repairs at various park facilities. In Report No. 13-122, which was approved May 1, 2013, the Board found that it was more economical and feasible to secure these services by contract.

FISCAL IMPACT STATEMENT:

Executing the Amendment will impact RAP's General Fund 302/88, Account 3040, because there are outstanding monies due; the contract is as-needed, and will potentially affect the same account, depending on what work is needed by RAP from this Contractor.

REPORT OF GENERAL MANAGER

PG. 3

NO. 16-047

It should be noted that this Contractor is providing services to other City departments. In those cases, the funding comes from the City General Fund because the sites being serviced are not part of RAP.

This report was prepared by Désirée Guzzetta, Management Analyst II, Finance Division.



BMC LANDSCAPE MANAGEMENT
21004 NORDHOFF STREET, CHATSWORTH, CA 91311
tel (323) 770-2440 fax (323) 927-1795

January 25, 2016

City of Los Angeles
Department of Recreation and Parks
Attn: Jim Newsom
6335 Woodley Avenue
Van Nuys, CA 91406

Re: Contract #3449 - Change of Ownership for BMC Landscape Management

This letter is to formally announce and inform you that BMC Landscape Management, Inc. has been sold to Sani Group Inc. dba BMC Landscape Management. The change of ownership was effective July 20, 2015.

With this purchase, there was no change in the operations of the business. Both the infrastructure, including all assets and equipment, and employees all remain in place bringing over 40 years of experience and knowledge to the new entity. All existing customers prior to the change in ownership remain in place and we have continued to service all contracts under the same "BMC Landscape Management" name.

The new entity information is listed below.

Legal Entity Name: Sani Group Inc. (a California Corporation)
DBA: BMC Landscape Management
Mailing address: 21004 Nordhoff St., Chatsworth, CA 91311
FEIN: 47-3945868
Contractors License Number: 1006105 (C-27)
BTRC# 0002836456-0001-2

Please let us know if you have any questions or need any additional information, thank you.



Shaun Sakhrani
President
Sani Group Inc.
dba BMC Landscape Management
Office: (323) 770-2440
shaun@bmclm.com

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles
Subscribed and sworn to (or affirmed) before me this 25 day
of JANUARY, 2016, by SHAUN SAKHRANI

_____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Alan Kaminsky (Seal)

