COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

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June 2, 2009

IN REPLY PLEASE
REFER TO FILE: AS-0

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

39 JUNE 2, 2009

SACHI A. HAMAI
EXECUTIVE OFFICER

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

AMENDMENT OF CONTRACT FOR SAN GABRIEL VALLEY MEDIANS - LANDSCAPE AND GROUNDS MAINTENANCE SERVICES IN THE UNINCORPORATED AREA OF HACIENDA HEIGHTS (SUPERVISORIAL DISTRICTS 1, 4, AND 5) (3 VOTES)

SUBJECT

This action is to approve expanding the landscape and grounds maintenance service area for the San Gabriel Valley Medians – Landscape and Grounds Maintenance Services Contract in the unincorporated area of Hacienda Heights to include 7th Avenue between Los Robles Avenue and Palm Avenue.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the work continues to be categorically exempt from the provisions of the California Environmental Quality Act.

2. Find that these services continue to be more economically performed by an independent contractor than by County employees.

3. Approve the Amendment 2 to Contract No. 75833 with TruGreen LandCare, located in Gardena, California, for San Gabriel Valley Medians - Landscape and Grounds Maintenance Services to expand the level of service commencing upon your Board's approval at an additional amount of $3,730 for the current and final contract term, to increase the annual not-to-exceed amount from $105,379 to $109,109, and an additional $10,530 on a month-to-month basis for up to six months.

4. Authorize the Director of Public Works or her designee to increase the contract amount up to an additional 10 percent of each contract period's sum for unforeseen, additional work within the scope of the contract, if required.

5. Authorize the Director of Public Works or her designee to execute the amendment and to approve and execute future amendments to incorporate necessary changes within the scope of work.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to expand the landscape and grounds maintenance service area to include the parkway area in the unincorporated area of Hacienda Heights at 7th Avenue between Los Robles Avenue and Palm Avenue.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). Having a contractor that has the specialized expertise to provide these services accurately, efficiently, timely, responsively, and in a cost-effective manner will support the Department of Public Works (Public Works) in meeting these goals.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

Based on the contractor's quoted rate, the requested not-to-exceed increased annual contract amount of $3,730 (prorated for the remainder of the current and final option year) for the current contract term will increase the annual not-to-exceed amount from $105,379 to $109,109, commencing upon your Board's approval, and an additional $10,530 on a month-to-month basis for up to six months, plus 10 percent contingency for unforeseen, additional work within the scope of work of the contract, if required.

Funding for the amended contract is available in the Fiscal Year 2008-09 Road Fund Budget. Funding to finance the remaining contract term plus the contract's month-to-month extension, for up to six months in Fiscal Year 2009-10 and 10 percent additional funding for contingencies is included in the Fiscal Year 2009-10 Proposed Road Fund Budget request.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Amendment 2 to Contract No. 75833 for San Gabriel Valley Medians – Landscape and Grounds Maintenance Services, which is substantially reflected in the attached form (Attachment A), will continue the contract's current terms, specifications, and conditions. Prior to the Director of Public Works or her designee executing this amendment, the contractor will sign and County Counsel will review it as to form.

On August 1, 2006, Agenda Item 33, your Board approved this contract for an initial one-year period with two 1-year renewal options, for a total contract period of three years, commencing on August 6, 2006, to August 5, 2009, with a month-to-month extension in the final contract term not exceeding a total of six months.

On August 20, 2007, this contract was amended to reflect the contractor's compliance with the increased Living Wage Program hourly rates for the current and subsequent option years of the contract. Under Amendment 1, the contractor's annual contract amount increased from $99,750 to $105,379.

Using methodology approved by the Auditor-Controller, Public Works has calculated the cost-effectiveness of contracting for these services. Based on the cost calculations, Public Works has determined that these services continue to be more economically performed by an independent contractor than by County employees.

Since this is a Proposition A contract, Public Works has determined that the contractor continues to comply with the requirements of the Living Wage Program (Los Angeles County Code, Chapter 2.201) and agrees to continue to pay its full-time employees providing County services a living wage.

ENVIRONMENTAL DOCUMENTATION

These services continue to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA). These services are within a class of projects that has been determined not to have a significant effect on the environment in that it meets the criteria set forth in Section 15301 (h) of CEQA because it involves the maintenance of existing landscaping.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the amendment will continue the current contract services and expand the service area as shown in Attachment B.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Administrative Services Division.

Respectfully submitted,

GAIL FARBER
Director of Public Works

GF:GZ:er

Attachments (2)

c: Chief Executive Office (Lari Sheehan)
County Counsel
Executive Office
Office of Affirmative Action Compliance

AMENDMENT 2 TO CONTRACT NO. 75833

SAN GABRIEL VALLEY MEDIANS – LANDSCAPE AND GROUNDS MAINTENANCE SERVICES

THIS AMENDMENT, made and entered into this ____ day of _____, 2009, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and TRUGREEN LANDCARE, a general partnership (hereinafter referred to as CONTRACTOR).

WITNESSETH

WHEREAS, Contract No. 75833 was entered into between the COUNTY and the CONTRACTOR, on August 6, 2006, to provide landscape and grounds maintenance services for a period of one year with two 1-year renewal options with month-to-month extensions in the final contract term not exceeding a total of six months; and

WHEREAS, contracts awarded under this authority are subject to the provisions of the Los Angeles County Code, Sections 2.201.010 through 2.201.100 (Living Wage Program); and

WHEREAS, on February 6, 2007, the COUNTY Board of Supervisors approved increases in the County Living Wage Program's hourly rates; and

WHEREAS, the Board directed that all current COUNTY contracts subject to the Living Wage Program be amended to reflect the new rates when the contracts were either renewed for an option year or otherwise amended after June 15, 2007; and

WHEREAS, on August 20, 2007, the COUNTY renewed this Contract for the first option-year; and

WHEREAS, starting August 20, 2007, the COUNTY desires to have the CONTRACTOR pay its employees at least the newly approved Living Wage Program's hourly rates; and

WHEREAS, the CONTRACTOR has continued to provide these services under the Contract's existing terms and conditions as amended by AMENDMENT 1; and

WHEREAS, in accordance with the Contract's Exhibit B, Service Contract General Requirements, Section 2.CC, Changes and Amendments of Terms, the COUNTY desires to extend the service area to include the parkway area at 7th Avenue between Los Robles Avenue and Palm Avenue; and

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WHEREAS, the CONTRACTOR is willing to perform landscape and grounds maintenance services in the extended service area under all terms as set forth in Contract No. 75833 and in Amendment 1.

NOW, THEREFORE, in consideration of these facts and payment to be made by the COUNTY, the COUNTY and the CONTRACTOR agree that Contract No. 75833 between them shall be amended as follows:

FIRST: The Contract is hereby amended to reflect the correct contract start date of August 6, 2006, and if the COUNTY desires to exercise month-to-month extensions following this year's final contract term, not to exceed a total of six months, the first month's extension shall begin on August 6, 2009.

SECOND: The Contract is hereby amended to provide that the CONTRACTOR shall perform landscape and grounds maintenance services for the following additional extended service areas, commencing upon Board approval through August 5, 2009:

- The parkway area at 7th Avenue between Los Robles Avenue and Palm Avenue.

THIRD: The monthly cost for providing landscape and grounds maintenance services for the additional extended areas will be $1,755 per month, increasing the annual not-to-exceed amount from $105,379 to $109,109 (prorated for the remainder of the option year) for current and final contract term, and $10,530 on a month-to-month basis for up to six months, or such sum as the Board may approve.

FOURTH: This Contract's LW-8, Cost Methodology, is reflected in Attachment A for these extended service areas.

FIFTH: The following Attachment B has been incorporated into the contract listing the service location:

- San Gabriel Valley Medians – Landscape and Median Maintenance List of Service Locations

SIXTH: Except as modified by this AMENDMENT, all other terms, conditions, requirements, and specifications of this Contract and Amendment 1 shall remain in full force and effect.

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IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By_____
Director of Public Works

APPROVED AS TO FORM:

ROBERT E. KALUNIAN
Acting County Counsel

By _____
Deputy

TRUGREEN LANDCARE, a general partnership composed of TRUGREEN LANDCARE, LLC; and TRUGREEN COMPANIES, LLC

By _____
Regional Operations Manager

_____
Type or Print Name

FORM LW-8

COST METHODOLOGY FOR CONTRACT: 7TH AVENUE PARKWAY BETWEEEN LOS ROBLES AVENUE AND PALM AVENUE.

PROPOSER: TRUGREEN LANDCARE

POSITION/TITLE * (LIST EACH EMPLOYEE SEPARATELY)	HOURS PER DAY SUN	MON	TUE	WED	THU	FRI	SAT	HOURS PER WEEK	ANNUAL HOURS	HOURLY WAGE RATE	ANNUAL COST
			1.5	2	1.5			5	260	$ 15.00	$ 2,800.00
Supervisor			1.5	2	1.5			5	260	$ 11.84	$ 3,078.40
Laborer			1.5	2	1.5			5	260	$ 11.84	$ 3,078.40
Laborer											$
											$
											$
											$
											$
											$
											$
										Total Annual Salaries	$ 10,056.80

Comments/Notes:		
	(1) Vacations, Sick Leave, Holiday	$ 838.68
	(2) Health Insurance **	N/A
	(3) Payroll Taxes & Workers' Compensation	$ 1,048.35
	(4) Welfare and Pension	N/A
	Total Annual Employee Benefits (1+2+3+4)	$ 1,887.03
	(5) Equipment Costs	$ 4,403.07
	(6) Service and Supply Costs	$ 1,053.19
	(7) General and Administrative Costs	$ 1,258.02
	(8) Profit	$ 2,308.89
	Total Annual Other Costs (5+6+7+8)	$ 9,023.17
	*** TOTAL ANNUAL PRICE	$ 20,967.00

* All employees shown must be FULL-TIME employees of the proposer, unless exemption to use Part-Time employees has been granted by the County.

** Minimum cost for health insurance is $1.14/hour if hourly wage rate is between $8.32 and $9.46, unless exemption from Living Wage requirements has been granted by the County.

*** This amount shall be equal to the Total Amount shown on PW-2, Schedule of Prices.

ATTACHMENT A.1

EXHIBIT E.1

SAN GABRIEL VALLEY MEDIANS - LANDSCAPE AND MEDIAN MAINTENANCE
LIST OF SERVICE LOCATIONS

	LOCATION	LIMITS	DESCRIPTION	THOMAS GUIDE
1	Huntington Drive Medians	Huntington Drive - San Gabriel Blvd. to Arcadia City Line	Trees and grass	566-F7, G7, H6
		Gainsborough Drive at Sunny Slope Blvd.	Bushes and ground covers	566-F6
2	Michillinda Avenue Medians	California Street - Michigan Blvd. to Michillinda Avenue	Trees and grass	566-H6
		Michigan Blvd. - Huntington Drive to Laurita Avenue	Trees and grass	566-H6
		Woodward Blvd. - Huntington Drive to Oakdale Avenue	Trees and grass	566-H5, H6
3	Potrero Grande Drive Medians	San Gabriel Blvd. to Arroyo Drive	Trees and bushes	636-E4, F3
		West Side Slope: Mooney Drive to Steddom Drive	Bushes and ground covers	636-E4
4	Paramount Slopes and Medians	Arroyo Drive to Hill Drive	Plants and trees	636-F4
5	Workman Mill Road Medians	Coleford Avenue to Don Julian Drive	Plants, shrubs and trees	637-G5
6	Live Oak Avenue Medians	9th Street to Mayflower Avenue	Plants and trees	597-F2
7	Baldwin Park Blvd Office (RMD-1)	14747 Ramona Blvd., Baldwin Park	Trees and grass	598-D5
8	7th Avenue Parkway	Los Robles Avenue to Palm Avenue	Plants and trees	677-J1