



**COUNTY OF LOS ANGELES**  
**DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

**GAIL FARBER, Director**

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

August 14, 2012

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

Dear Supervisors:

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

**23 August 14, 2012**

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**AWARD OF CONTRACT FOR SMART GARDENING PROGRAM  
(ALL SUPERVISORIAL DISTRICTS)  
(3 VOTES)**

**SUBJECT**

This action is to award a contract for the Smart Gardening Program to reduce the amount of disposed residential yard waste through education to residents of Los Angeles County on composting, worm composting, grasscycling, water/fire-wise gardening, and xeriscaping.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Award the contract for the Smart Gardening Program in the sum of \$672,238 for a two-year term to BioContractors, Inc. This contract will commence upon your Board's approval and execution by both parties, whichever occurs last, with three 1-year renewal options, each for an amount not to exceed \$336,119 annually and a month-to-month extension up to six months for a maximum potential contract term of 66 months and a potential maximum contract sum of \$1,848,655.
2. Authorize the Director of Public Works or her designee to annually increase the contract amount up to an additional 10 percent of the annual contract sum for unforeseen, additional work within the scope of the contract, if required.
3. Authorize the Director of Public Works or her designee to execute the contract; to renew the contract for each additional renewal option and extension period if, in the opinion of the Director of Public Works or her designee, BioContractors, Inc., has successfully performed during the previous contract period and the services are still required; to approve and execute amendments to incorporate necessary changes within the scope of work; and to suspend work if, in the opinion of

the Director of Public Works or her designee, it is in the best interest of the County of Los Angeles to do so.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to award a contract for the Smart Gardening Program in which the contractor is required to conduct workshops to teach residents of Los Angeles County techniques on smart gardening and provide instructions to students from elementary through high school on how to grow a garden at school. The techniques covered in workshops will include composting, worm composting (vermicomposting), grasscycling, water/fire-wise gardening, and xeriscaping. In addition, the contractor is required to maintain 26 Smart Gardening Information and Learning Centers throughout the County and prepare and submit monthly reports.

The Department of Public Works (Public Works) has contracted for these services since 1992.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1), Fiscal Sustainability (Goal 2), and Integrated Services Delivery (Goal 3). The contractor who has the specialized expertise to provide these services accurately, efficiently, timely, and in a responsive manner will support Public Works in meeting these goals.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The contract is for an aggregate amount of \$672,238 for a two-year term plus 10 percent for additional work within the scope of the contract. This amount is based on the unit prices/hourly rates quoted by the contractor and our estimated annual utilization of the contractor's services.

Funding for these services is included in the Fiscal Year 2012-13 Solid Waste Management Fund. Funds to finance the contract's second contract year, optional years, and 10 percent additional funding for contingencies will be requested through the annual budget process.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The recommended contractor is BioContractors, Inc., located in Cerritos, California. This contract will commence upon your Board's approval and execution by both parties, whichever occurs last, for a period of two years. With your Board's delegated authority, the Director of Public Works (Director) or her designee may renew this contract for three 1-year renewal options and a month-to-month extension up to six months for a maximum potential contract term of 66 months.

The contract will be substantially similar to the form previously approved by County Counsel. The final contract will be approved by County Counsel before commencement of work. The recommended contract with BioContractors, Inc., was solicited on an open-competitive basis and is in accordance with applicable Federal, State, and County requirements. The contractor is in

compliance with the requirements of the Chief Executive Officer and your Board.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. This contract contains terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

Data regarding the proposers' minority participation is on file with Public Works. The contractor was selected upon final analysis and consideration without regard to race, creed, gender, or color.

Proof of the required Comprehensive General and Automobile Liability insurance policies, naming the County as additional insured, and evidence of Workers' Compensation insurance will be obtained from the contractor before any work is assigned.

Pursuant to the applicable memorandum of understanding, the Request for Proposals (RFP) for this contracted service was submitted on March 1, 2012, to the appropriate union for review. The union has not asked to meet with Public Works regarding this solicitation.

Public Works has evaluated and determined that the Living Wage Program (Los Angeles County Code, Chapter 2.201) does not apply to this recommended contract, which is for services required on an as-needed and intermittent basis; hence, this contract is not a Proposition A contract (Los Angeles County Code, Chapter 2.121).

This contract does not allow for a cost-of-living adjustment for the optional years.

## **ENVIRONMENTAL DOCUMENTATION**

Approval of the recommended action does not constitute a project subject to the requirements of the California Environmental Quality Act (CEQA) because it is an activity that is excluded from the definition of a project by Section 15378(b) of CEQA. The proposed action is an administrative activity of government, which will not result in a direct or indirect physical change in the environment.

## **CONTRACTING PROCESS**

On March 1, 2012, Public Works solicited proposals from 600 independent contractors and community business enterprises to accomplish this work. Also, a notice of the RFP was placed on the County's "Doing Business With Us" website (Enclosure), and an advertisement was placed in the Los Angeles Times.

On April 4, 2012, three proposals were received. The proposals were first reviewed to ensure they met the minimum requirements in the RFP. All proposals having met these requirements were then evaluated by an evaluation committee consisting of Public Works staff. The evaluation was based on criteria described in the RFP, which included the price, references, experience, and work plan utilizing the informed averaging methodology for applicable criteria. Based on this evaluation, it is recommended that this contract be awarded to the highest-rated, apparent responsive, and responsible proposer, BioContractors, Inc., located in Cerritos, California.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The award of this contract will not result in the displacement of any County employees as these services are presently contracted with the private sector.

**CONCLUSION**

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

Respectfully submitted,



GAIL FARBER

Director

GF:GZ:cg

Enclosures

c: Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office

## Bid Detail Information

**Bid Number :** PW-ASD849  
**Bid Title :** Smart Gardening Program (2012-AN012)  
**Bid Type :** Service  
**Department :** Public Works  
**Commodity :** EDUCATIONAL RESEARCH SERVICES  
**Open Date :** 3/2/2012  
**Closing Date :** 3/15/2012 9:00 AM  
**Bid Amount :** \$ 700,000  
**Bid Download :** Not Available  
**Bid Description :** PLEASE TAKE NOTICE that Public Works requests proposals for the contract for Smart Gardening Program (2012-AN012). This contract is designed for five years, consisting of a two-year base term and a maximum potential of three additional one year options. The total contract amount of this service is estimated to be \$350,000 annually, including option years or \$700,000 for the two-year base term. The Request for Proposals (RFP) with contract specifications, forms, and instructions for preparing and submitting proposals may be accessed at <http://dpw.lacounty.gov/asd/contracts> or may be requested from Mr. Edwin Manoukian at (626) 453 4057 or [emanoukian@dpw.lacounty.gov](mailto:emanoukian@dpw.lacounty.gov), Monday through Thursday, 7 a.m. to 5 p.m.

PLEASE CHECK THE WEBSITE FREQUENTLY FOR ANY CHANGES TO THIS SOLICITATION. ALL ADDENDA AND INFORMATIONAL UPDATES WILL BE POSTED AT <http://dpw.lacounty.gov/asd/contracts>.

Minimum Requirement(s): Proposers and any subcontractor(s) must meet all minimum requirements set forth in the RFP document including, but not limited to, the following:

1. Proposers, or its managing employee and subcontractor(s), if applicable, must have a minimum of two years of experience in the project management of solid waste education outreach programs.
2. Proposers must identify a minimum of two qualified instructors in their proposal whom will be assigned to this contract, if awarded. Instructors must meet any of the following qualifications:
  - a. Must hold a Master Gardener Certification from the University of California Master Gardener Program or other Master Gardener Programs recognized by the American Horticultural Society.
  - b. Have two years of experience in instructing Smart Gardening Programs.
  - c. Have completed a minimum of two years of college courses in the following fields: biology, plant sciences, landscape architecture, environmental engineering or science, or other field related to practices promoted by the Smart Gardening Program.

A Proposers' Conference will be held on Thursday, March 15, 2012, at 9 a.m. at Public Works Headquarters, 900 South Fremont Avenue, Alhambra, California 91803, in the Conference Room D. ATTENDANCE BY THE PROPOSER OR AN AUTHORIZED REPRESENTATIVE AT THE CONFERENCE IS MANDATORY. Public Works will reject proposals from those whose attendance at the conference cannot be verified. Attendees should be prepared to ask questions at that time about the specifications, proposal requirements, and contract terms. After the conference, Proposers must submit questions in writing and request information for this solicitation within three business days from the date of the conference. After the third business day, it may be impossible to respond to further requests for information.

The deadline to submit proposals is Thursday, March 29, 2012, at 5:30 p.m. Please direct your questions to Mr. Manoukian at the number listed above.

**Contact Name :** Edwin Manoukian  
**Contact Phone# :** (626) 458-4057  
**Contact Email :** [emanoukian@dpw.lacounty.gov](mailto:emanoukian@dpw.lacounty.gov)  
**Last Changed On :** 3/2/2012 10:08:51 AM

3/2/2012 10:08:51 AM