



AGENDA REPORT

Meeting Date: March 1, 2011
Item Number: F-10
To: Honorable Mayor & City Council
From: Ken Pfalzgraf, Parks and Urban Forest Manager
Subject: APPROVAL OF AMENDMENT NO. 6 TO THE AGREEMENT WITH **TRUGREEN LANDCARE** FOR LANDSCAPE MAINTENANCE SERVICES, AND APPROVAL OF A CHANGE ORDER TO AN EXISTING PURCHASE ORDER IN THE NOT TO EXCEED AMOUNT OF \$87,485.61.

Attachments:

1. Amendment No.6
2. Change Order

RECOMMENDATION

Staff recommends that City Council approve amendment no. 6 to the agreement and approve a blanket purchase order for a total not-to-exceed amount of \$87,485.61 with TruGreen Landcare for landscape maintenance services.

INTRODUCTION

In July 2004, the City entered into the current agreement with TruGreen Landcare to provide specific landscape maintenance services throughout the City. The current agreement is set to terminate on March 31, 2011. Staff recommends that this agreement be extended on a month to month basis for a period of no more than three months and no later than June 30, 2011. TruGreen Landcare continues to provide an acceptable level of service at an economical price point.

DISCUSSION

Extension no. 6 extends the term of the agreement on a month to month basis to no later than June 30, 2011 to continue with the maintenance of certain parts of the City landscape as defined within the scope of services in the current agreement while the effectiveness of continuing to provide landscape services using City employed Park Service Workers performing services they have historically provided is evaluated during

a trail period of six months which is slated to begin on March 25, 2011 and end on September 25, 2011. This trail period is the result of a counter proposal by the Beverly Hills Municipal Employees Association (MEA) to a notification that the City was intending to expand the current scope of contracted landscape maintenance services to include the outsourcing of work currently performed by City employees serving in the classification of Park Services Worker.

In informal discussions with the contractor that was selected through the screening process to provide landscape maintenance services in the event that scope of contracted services is expanded, that contractor suggested that the scope of work bid as their submittal for Landscape Maintenance RFP 11-07 is certainly far more attractive than piecing out sections of that proposal to match the scope of services currently provided by contractor TruGreen Landcare. In addition, staff time will be necessary to mix and match pricings provided in contractor responses to RFP 11-07 to determine which contractor provides the most economical service as the standards and terms of the proposed contract have been improved and expanded significantly over those that govern the current scope of work performed by TruGreen Landcare.

Staff will review and amend the terms of this agreement as necessary in order to be ready to operate effectively at the commencement of fiscal year 2011-2012.

FISCAL IMPACT

Funds were budgeted and are available in the General Fund for both this interim period and service for the remainder of fiscal year 2010-2011.



Noel Marquis
Finance Approval

Steve Zoet
Approved By 

Attachment 1

AMENDMENT NO. 6 TO AN AGREEMENT BETWEEN THE
CITY OF BEVERLY HILLS AND TRUGREEN LANDCARE
FOR LANDSCAPE MAINTENANCE SERVICES

NAME OF VENDOR: TruGreen LandCare

RESPONSIBLE PRINCIPAL OF VENDOR: David Evans, Operations Manager

VENDOR'S ADDRESS: 1323 West 130th Street
Gardena, CA 90247

CITY'S ADDRESS: City of Beverly Hills
455 N. Rexford Drive
Beverly Hills, CA 90210
Attention: Steve Zoet, Director of
Community Services

COMMENCEMENT DATE: July 1, 2004

TERMINATION DATE: June 30, 2011

CONSIDERATION: Not to exceed \$430,200 per year as more
particularly described in Exhibit B-1

AMENDMENT NO. 6 TO AN AGREEMENT BETWEEN THE
CITY OF BEVERLY HILLS AND TRUGREEN LANDCARE
FOR LANDSCAPE MAINTENANCE SERVICES

This Amendment No. 6 is to that certain Agreement dated July 10, 2004 and identified as Contract No. 206-04, as amended by Amendment No. 1, dated June 13, 2008 and identified as Contract No. 204-08, and further amended by Amendment No. 2, dated July 21, 2009 and identified as Contract No. 310-09; Amendment No. 3, dated October 12, 2009 and identified as Contract No. 401-09; and Amendment No. 4, dated June 22, 2010 and identified as Contract No. 228-10; and Amendment No. 5, dated December 21, 2010 and identified as Contract No. 541-10 (the "Agreement"), copies of which are on file in the office of the City Clerk, between the City of Beverly Hills, a municipal corporation ("CITY") and TruGreen LandCare ("VENDOR"), for landscape maintenance services.

R E C I T A L S

A. CITY entered into a written Agreement, dated July 10, 2004, for landscaping maintenance services, which has been previously amended.

B. CITY desires to further extend the Termination Date.

NOW, THEREFORE, the parties hereto do amend the Agreement as follows:

Section 1. The Termination Date shall be amended as set forth above.

Section 2. Except as amended by Sections 1, 3 and 4 of Amendment No. 1 and specifically amended herein, all terms and conditions set forth in the Agreement shall remain in full force and effect.

EXECUTED the ____ day of _____, 201__, at Beverly Hills, California.

CITY OF BEVERLY HILLS
A Municipal Corporation

JIMMY DELSHAD
Mayor of the City of Beverly Hills,
California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

VENDOR:
TRUGREEN LANDCARE

ADAM BUDNIAK
Branch Manager

DAVID EVANS
Operations Manager

APPROVED AS TO FORM

LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

JEFFREY KOLIN
City Manager

STEVE ZOET
Director of Community Services

KARL KIRKMAN
Risk Manager

Attachment 2



CITY OF BEVERLY HILLS

CHANGE PURCHASE ORDER REQUEST

455 NORTH REXFORD DRIVE
BEVERLY HILLS, CALIFORNIA 90210-4817

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PURCHASE ORDER NO
11200173
CHANGE ORDER NO
1

DATE	DIVISION NAME
02/22/2011	Urban Forest

VENDOR NO: **44779**
 VENDOR NAME: **Trugreen**

ACTION A/D/E	LINE ITEM#	BUDGET UNIT	ACCOUNT #	ORIGINAL PRICE OF LINE ITEM#	AMOUNT REQUESTED	EXTENDED PRICE OF LINE ITEM#
A	1	0106901	73040	\$ 61,022.14	\$ 30,511.07	\$ 91,533.21

To increase BPO due to extension of Ageeement from 3/31/11- to 6/30/11.

ACTION A/D/E	LINE ITEM#	BUDGET UNIT	ACCOUNT #	ORIGINAL PRICE OF LINE ITEM#	AMOUNT REQUESTED	EXTENDED PRICE OF LINE ITEM#
A	2	0106906	73040	\$ 26,251.03	\$ 13,125.51	\$ 39,376.54

To increase BPO due to extension of Ageeement from 3/31/11- to 6/30/11.

ACTION A/D/E	LINE ITEM#	BUDGET UNIT	ACCOUNT #	ORIGINAL PRICE OF LINE ITEM#	AMOUNT REQUESTED	EXTENDED PRICE OF LINE ITEM#
A	3	0106907	73040	\$ 94,638.17	\$ 43,849.03	\$ 138,487.20

To increase BPO due to extension of Ageeement from 3/31/11- to 6/30/11.

DETAILS:

Original PO Amount:	\$ 269,396.95	PO TOTAL	
Change order # 1	\$ 30,511.07	Item # 1	
Change order # 1	\$ 13,125.51	Item # 2	
Change order # 1	\$ 43,849.03	Item # 3	
Change order #	\$	Item #	
New PO Total:	<u>\$ 356,882.56</u>		

MUST BE SIGNED BY AUTHORIZED CITY AGENT

Use this space if you need another authorized signature	AUTHORIZED SIGNATURE <div style="text-align: center;"> Steve Zoer PRINT & SIGN NAME </div>
STATE SALES TAX SHOULD BE ADDED TO THE INVOICE. EXEMPTION CERTIFICATES WILL BE SUPPLIED BY THE CITY CONCERNING FEDERAL EXCISE TAXES. SEE REVERSE SIDE FOR TERMS AND CONDITIONS	DATE 2/22/11

ACTION LEGEND
 A=ADD NEW CODE D=DISENCUMBER E=ENCUMBER