



## AGENDA REPORT

**Meeting Date:** June 22, 2010  
**Item Number:** E-2  
**To:** Honorable Mayor & City Council  
**From:** Ken Pfalzgraf, Parks and Urban Forest Manager  
**Subject:** AMENDMENT NO. 4 TO AN AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND TRUGREEN LANDCARE, LLC FOR LANDSCAPE MAINTENANCE SERVICES AND APPROVAL OF A PURCHASE ORDER TO TRUGREEN LANDCARE, LLC IN THE NOT TO EXCEED AMOUNT OF \$181,911.34

**Attachments:** 1. Agreement

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### **RECOMMENDATION**

Staff recommends that City Council approve amendment no. 4 to the agreement and approve a blanket purchase order for a total not-to-exceed amount of \$181,911.34 with TruGreen Landcare, LLC for landscape maintenance services.

### **INTRODUCTION**

In July 2004, the City entered into the current agreement with TruGreen Landcare, LLC to provide specific landscape maintenance services throughout the City. The current agreement is set to terminate on June 30, 2010. Staff recommends that this agreement be extended for a six month time period, or until December 31, 2010. Trugreen Landcare, LLC continues to provide an acceptable level of service at an economical price point.

### **DISCUSSION**

Extension no. 4 extends the term of the agreement through December 31, 2010 to continue with the maintenance of certain parts of the City landscape as defined within the scope of services in the current agreement while staff prepares bid documents, conducts the bid process and evaluate vendor responses to an RFP (request for proposals) for an expanded scope landscape maintenance contract. Staff expects to

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begin to evaluate RFP responses by September 1, 2010 and, based on the dollar amount of the bids, initiate contracts as appropriate prior to December 31, 2010.

**FISCAL IMPACT**

Funds were budgeted and are available in the General Fund for both this interim period and the full year's service.

  
\_\_\_\_\_  
Noel Marquis  
Finance Approval

Steve Zoet  
Approved By

  
\_\_\_\_\_

# **Attachment 1**

Agreement

AMENDMENT NO. 4 TO AN AGREEMENT BETWEEN THE  
CITY OF BEVERLY HILLS AND TRUGREEN LANDCARE,  
LLC FOR LANDSCAPE MAINTENANCE SERVICES

NAME OF VENDOR: TruGreen Landcare, LLC

RESPONSIBLE PRINCIPAL OF VENDOR: David Evans, Operations Manager

VENDOR'S ADDRESS: 1323 West 130<sup>th</sup> Street  
Gardena, CA 90247

CITY'S ADDRESS: City of Beverly Hills  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attention: Stephen M. Miller, Interim  
Director of Community Services

COMMENCEMENT DATE: July 1, 2004

TERMINATION DATE: December 31, 2010

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

AMENDMENT NO. 4 TO AN AGREEMENT BETWEEN THE  
CITY OF BEVERLY HILLS AND TRUGREEN LANDCARE,  
LLC FOR LANDSCAPE MAINTENANCE SERVICES

This Amendment No. 4 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, and Amendment No. 3, dated October 12, 2009 and identified as Contract No. 401-09 (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, LLC ("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:

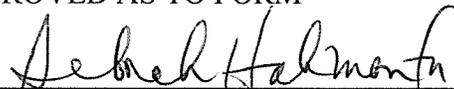
\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

VENDOR:  
TRUGREEN LANDCARE, LLC

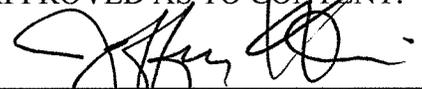
  
\_\_\_\_\_  
KEVIN WATTS  
Branch Manager

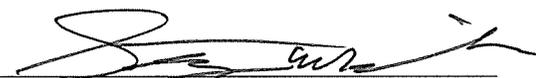
  
\_\_\_\_\_  
DAVID EVANS  
Operations Manager

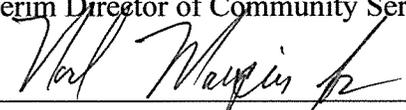
APPROVED AS TO FORM

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
JEFFREY KOLIN  
City Manager

  
\_\_\_\_\_  
STEPHEN M. MILLER  
Interim Director of Community Services

  
\_\_\_\_\_  
KARL KIRKMAN  
Risk Manager