



AGENDA REPORT

Meeting Date: December 21, 2010
Item Number: F-15
To: Honorable Mayor & City Council
From: Ken Pfalzgraf, Parks and Urban Forest Manager
Subject: AMENDMENT NO. 5 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 \$87,485.61
Attachments: 1. Agreement

RECOMMENDATION

Staff recommends that City Council move to approve Amendment No. 5 to the agreement with TruGreen Landcare, LLC for landscape maintenance services and approve a blanket purchase order for a total not-to-exceed amount of \$87,485.61.

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 December 31, 2010. Staff recommends that this agreement be extended for a period of no more than three months and to terminate no later than March 31, 2011 by which time staff expects to bring forward a comprehensive contract for citywide landscape maintenance services. Trugreen Landcare, LLC continues to provide an acceptable level of service at an economical price point.

DISCUSSION

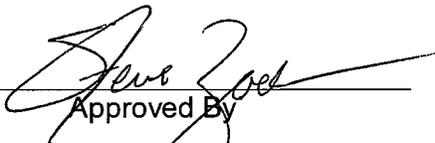
Extension No. 5 extends the term of the agreement on to March 31, 2010 to continue with the maintenance of certain parts of the City landscape as defined within the scope of services in the current agreement while staff completes the process for an RFP (request for proposals) for an expanded scope landscape maintenance contract. Staff expects to complete the process and initiate contracts as appropriate prior to March 1, 2011.

FISCAL IMPACT

Funds are budgeted and available in the department's approved operating budget for both this interim period and service for the remainder of the year.



Finance Approval



Approved By

Attachment 1

AMENDMENT NO. 5 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 130th Street
Gardena, CA 90247

CITY'S ADDRESS: City of Beverly Hills
455 N. Rexford Drive
Beverly Hills, CA 90210
Attention: Nancy Hunt-Coffey, Interim
Director of Community Services

COMMENCEMENT DATE: July 1, 2004

TERMINATION DATE: March 31, 2011

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

AMENDMENT NO. 5 TO AN AGREEMENT BETWEEN THE
CITY OF BEVERLY HILLS AND TRUGREEN LANDCARE,
LLC FOR LANDSCAPE MAINTENANCE SERVICES

This Amendment No. 5 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 (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

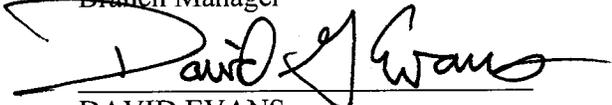
JIMMY DELSHAD
Mayor of the City of Beverly Hills,
California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

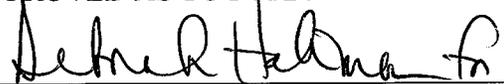
VENDOR:
TRUGREEN LAND CARE, LLC

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



NANCY HUNT-COFFEY
Interim Director of Community Services



KARL KIRKMAN
Risk Manager