



AGENDA REPORT

Meeting Date: June 7, 2011
Item Number: F-4
To: Honorable Mayor & City Council
From: Ken Pfalzgraf, Parks and Urban Forest Manager
Subject: APPROVAL OF AMENDMENT NO. 7 TO THE AGREEMENT WITH **TRUGREEN LANDCARE** FOR LANDSCAPE MAINTENANCE SERVICES AND APPROVAL OF A PURCHASE ORDER TO **TRUGREEN LANDCARE** IN THE NOT TO EXCEED AMOUNT OF \$181,911.34.

Attachments: 1. Amendment No.7

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 June 30, 2011. Staff recommends that this agreement be extended through December 31, 2011. TruGreen Landcare continues to provide an acceptable level of service at an economical price point.

DISCUSSION

Based on the results of Landscape Maintenance RFP #11-07, the Beverly Hills Municipal Employees Association (MEA) was notified 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. MEA offered a counter proposal in which a decreased number of Park Services Workers would work to meet the standards described in RFP #11-07 during a trial period. City Council approved a six month trial period which began on March 25, 2011 and which is slated to end on September 25, 2011.

Extension no. 7 extends the term of the agreement on a month to month basis to no later than December 31, 2011. This extension would allow for continuation of existing needed services until it is decided whether or not park maintenance services are outsourced or kept in house at reduced levels.

FISCAL IMPACT

Funds were budgeted and are available in the General Fund for this interim period and for service for the remainder of fiscal year 2011-2012.

RECOMMENDATION

Staff recommends that City Council approve amendment no. 7 to the agreement and approve a blanket purchase order for a total not-to-exceed amount of \$181,911.34 with TruGreen Landcare for landscape maintenance services.



Noel Marquis
Finance/Approval



Steve Zoet
Approved By

Attachment 1

AMENDMENT NO. 7 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: December 31, 2011

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

AMENDMENT NO. 7 TO AN AGREEMENT BETWEEN THE CITY
OF BEVERLY HILLS AND TRUGREEN LANDCARE FOR
LANDSCAPE MAINTENANCE SERVICES

This Amendment No. 7 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, 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; Amendment No. 4, dated June 22, 2010 and identified as Contract No. 228-10; Amendment No. 5, dated December 21, 2010 and identified as Contract No. 541-10; and Amendment No. 6, dated March 1, 2011 and identified as Contract No. 66-11 (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.

RECITALS

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

BARRY BRUCKER
Mayor of the City of
Beverly Hills, California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

VENDOR: TRUGREEN LANDCARE

ADAM BUDNIAK
Branch Manager

David Evans

DAVID EVANS
Operations Manager

APPROVED AS TO FORM

Laurence S. Wiener

LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

JEFFREY KOLIN
City Manager

Steve Zoet

STEVE ZOET
Director of Community Services

KARL KIRKMAN
Risk Manager