

**APPROVED**  
JAN 18 2013

REPORT OF GENERAL MANAGER

NO. 13-015

DATE January 16, 2013

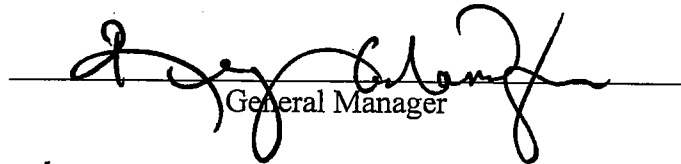
BOARD OF RECREATION  
& PARK COMMISSIONERS

C.D. All

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PARKLAND TREE TRIMMING AND REMOVAL SERVICES AT VARIOUS CITY PARKS AND FACILITIES - RESCIND AWARD OF PERSONAL SERVICES CONTRACT TO INTERNATIONAL ENVIRONMENTAL CORPORATION - AWARD CONTRACT TO WEST COAST ARBORISTS, INC.

R. Adams \_\_\_\_\_ K. Regan \_\_\_\_\_  
H. Fujita \_\_\_\_\_ M. Shull \_\_\_\_\_  
V. Israel \_\_\_\_\_ \*N. Williams N/DW

  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Find that the Department cannot continue with the execution of the Parkland Tree Trimming and Removal Services at Various City Parks and Facilities contract awarded by Board Report 12-226, as International Environmental Corporation has not provided the bond as referenced in the Request for Proposal SCG 11-100, Section IV.B.4.n., which advises that the "City-approved Surety or Performance Bond in the amount of \$500,000" must be submitted by the Proposer selected for award of the contract prior to execution of the agreement;
2. Rescind the award of a proposed Personal Services Contract for Parkland Tree Trimming and Removal Services at Various City Parks and Facilities to International Environmental Corporation, approved on July 19, 2012 (Board Report No. 12-226);
3. Find, that in accordance with the Request for Proposal, SCG 11-100, Section IV.B.2., the Proposal Deposit of \$5,000, submitted by International Environmental Corporation, will be forfeited and retained by the Department as the award was made and that the successful proposer, International Environmental Corporation failed to execute the contract with the provision of the required Surety or Performance Bond;

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4. Find, that in accordance with the Request for Proposal, SCG 11-100, Section IV.B.2., the Proposal Deposit of \$5,000, submitted by So. Cal Tree Care, Inc., the proposer with the second highest averaged total score, will be forfeited and retained by the Department.
5. Award a proposed Parkland Tree Trimming and Removal Services at Various Parks and Facilities contract to West Coast Arborists, Inc., substantially in the form on file in the Board Office, subject to the approval of the Mayor and of the City Attorney as to form;
6. Direct the Board Secretary to transmit the contract with West Coast Arborists, Inc. to the Mayor, in accordance with Executive Directive No. 3, and to the City Attorney for approval as to form; and
7. Authorize the Board President and Secretary to execute the Personal Service Contract upon receipt of the necessary approvals.

### SUMMARY:

The Department of Recreation and Parks requires additional tree trimming personnel each year on an as-needed basis to assist with timely tree trimming and removal of unstable park trees for safety purposes. As the last contract for tree trimming and removal services was extended to expire in 2009 (Board Report No. 08-307), a Request for Proposal (SCG 08-103) was approved for release in 2009 (Board Report 09-138). Due to economic uncertainties, the 2009 Request for Proposal (RFP), with the seven (7) proposals received, was held for sixteen (16) months pending instruction to proceed. The seven (7) proposals were rejected in 2011, due to proposed price aging, and the RFP was approved for re-release in order to select a responsible and qualified contractor to enter into a one (1) year contract with two (2) one-year options to renew at the sole discretion of the General Manager for a Personal Service Contract not-to-exceed total contract amount of \$500,000 per year (Board Report No. 11-059). The need for additional tree trimming and removal services personnel was required on an emergency basis, due to the wind storms of December 2011. The proposals received in response to the 2011 RFP had not yet been reviewed; consequently, the emergency services were paid with Board approval in April 2012 (Board Report No. 12-098).

The RFP, SCG 11-100, was released on March 8, 2011 and four proposals were received on June 21, 2011.

- International Environmental Corporation
- So. Cal Tree Care, Inc.
- West Coast Arborists, Inc.
- Oakridge Landscape, Inc.

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Three of the four proposers were found responsive to the proposal, International Environmental Corporation, So. Cal Tree Care, Inc. and West Coast Arborists, Inc., and were evaluated on February 1, 2012 using the following scoring procedure with resulting scores:

Each proposal was scored in the areas of Experience and Qualifications (50 points possible, with the Best Proposal receiving 50 points, the Second Best receiving 47-49 points, the Third Best receiving 44-46 points); Tree and Palm Trimming or Pruning Pricing Plan and Tree Removal Pricing Plan (25 points possible for each of the two Pricing Plans with ranking based on competitiveness of pricing plan relative to other proposals submitted). Each item price in Exhibit E - Pricing Plan Addendum No. 2 of the RFP was equally weighted for the ranking exercise and the weighting was multiplied by proposed price per tree and for each item and the products totaled to come up with an annual total cost. The annual cost for each of the three years was totaled. The pricing plan producing the lowest cost over three years was ranked number one. The Best Pricing Plan received 25 points, the Second Best received 22-24 points, the Third Best received 19-21 points. The averaged scores are as follows:

Proposer	Experience and Qualifications	Tree & Palm Trimming or Pruning Pricing	Tree removal Pricing Plan	Averaged Total
International Environmental Corporation	50	23.7	24	97.7
So. Cal Tree Care Inc.	45	25	25	95
West Coast Arborists, Inc.	48	20	20.3	88.33

Award

International Environmental Corporation (IEC), as the proposer receiving the highest Averaged Total score, was awarded the contract on July 19, 2012 (Board Report No. 12-226) after staff reviewed the responsive proposals, verified background and experience and found the corporation a responsible and capable company whose proposal best met the needs of the Department. However, the award to IEC must now be rescinded as IEC has not; and has confirmed that IEC will not, provide the required Surety or Performance Bond in the amount of \$500,000, required by the proposer selected for award of the contract, prior to execution of the contract. Per page 10 of RFP (SCG 11-100) "Only the proposer selected for award of the contract shall submit the additional required items prior to execution of the agreement (within 30 calendar days of notification of award by Department)" which includes item n., the Bond. IEC also forfeits the \$5,000.00 proposal deposit as they failed to execute the contract and to provide the required surety or performance bond.

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After IEC advised they were not going to submit the required bond, So. Cal Tree Care, Inc. was contacted and advised the recommendation would be made to the Board of Recreation and Park that So. Cal Tree Care, Inc., be awarded the contract and was asked if they would comply with the additional successful proposer requirements within 30 days. On November 9, 2012, So. Cal Tree Care, Inc., sent the Department of Recreation and Parks a letter advising that, after they received notification that they were not awarded the contract, they proceeded to use So. Cal Tree Care, Inc.'s bonding capacity on other projects that were awarded to the corporation after the July 19, 2012 (Board Report 12-226) award to IEC.

Staff now recommends that the contract to provide Parkland Tree Trimming and Removal at Various City Parks and Facilities be awarded to West Coast Arborists, Inc., the proposer receiving the third highest Averaged Total Score for their proposal, in an amount not-to-exceed \$500,000.00 per year, for a term of one (1) year, with two (2) one-year options to renew exercisable at the sole discretion of the General Manager. West Coast Arborists, Inc. has confirmed that the City-approved Surety or Performance Bond in the amount of \$500,000 will be provided.

West Coast Arborists, Inc., located in Anaheim, California, has been in business since 1972, and has provided services to more than 200 California municipalities and various public agencies, from their office and service yards in Anaheim, Stockton, San Jose, Fresno, San Diego, Ventura and Riverside. The company consists of 600 full time employees and offers tree pruning, tree removal, tree planting, 24 hour tree emergency response, tree watering, small tree care, webpage development and master street tree pruning programs.

### Charter Section 1022

Los Angeles City Charter Section 1022 prohibits contracting out work that could be done by City employees unless the Board determines it is more economical and/or feasible to contract out the service.

On October 23, 2008, the Personnel Department completed a Charter Section 1022 review and determined that there are City classifications that could provide as-needed tree trimming and removal services.

The ability of the Department to immediately respond to emergency situations (i.e., fallen trees and tree limbs) and protect the public, staff, and Department-owned facilities from harm currently exceeds staff availability. The certifications required to trim and remove trees makes it extremely difficult to hire qualified staff on a temporary basis in order to provide as-needed service. The damage caused by the December 2011 wind storms demonstrates the need for an as-needed contract to supplement existing City forces in order to quickly assess damage and remove fallen trees and tree limbs. It is therefore more feasible to secure these services through an independent contractor.

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FISCAL IMPACT STATEMENT:

Funding for this service will be provided from various sources: Fund No. 302, Department 88, Account 3040 (Forestry Division; CLASS Parks; Waste Stream Diversion; Venice Beach Palm Tree Trimming) and the Golf Surcharge Account, Fund No. 302, Department 89, Account 3040.

Report prepared by Nancy Jeffers, Management Analyst II, Finance Division.