

REPORT OF GENERAL MANAGER

NO. 15-247

DATE November 18, 2015

C.D. All

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: PARKLAND TREE TRIMMING AND REMOVAL SERVICES AT VARIOUS CITY PARKS AND FACILITIES – AMENDMENT TO PERSONAL SERVICES CONTRACT NO. 3440 WITH WEST COAST ARBORISTS, INC., TO EXTEND THE TERM AND INCREASE THE TOTAL CONTRACT PRICE

R. Barajas	<u>RB</u>	K. Regan	_____
H. Fujita	_____	*N. Williams	_____
V. Israel	_____		



 General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve an Amendment to Personal Services Contract No. 3440, substantially in the form on file in the Board Office, between the City of Los Angeles Department of Recreation and Parks and West Coast Arborists, Inc., to continue the tree trimming and tree removal services on an as-needed basis, subject to the approval of the Mayor, City Council and City Attorney as to form;
2. Find, in accordance with Charter Section 1022, that it is more economical and feasible to contract out the service for emergency situations that exceed staff availability;
3. Find, in accordance with Charter Section 371(e)(2) and the Los Angeles Administrative Code Section 10.15(a)(2) that for the temporary continuation of these services, competitive bidding is not practicable or advantageous;
4. Direct the Board Secretary to transmit the proposed Amendment to the Mayor's Office in accordance with Executive Directive No. 3, and the City Attorney for approval as to form;
5. Authorize the Board President and Secretary to execute the proposed Amendment, upon receipt of the necessary approvals; and,

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6. Authorize the General Manager, or designee, to make technical corrections as necessary to the contract, to carry out the intent of this Report.

SUMMARY:

The Board of Recreation and Park Commissioners (Board) awarded Contract No. 3440 to West Coast Arborists, Inc. on January 16, 2013 (Report No. 13-015). This contract was executed for one (1) year with two (2) one-year options to extend in amounts not exceeding Five Hundred Thousand Dollars (\$500,000.00) per year or a total contract amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00). All options to extend this contract have been exercised by the General Manager and the current expiration date is April 3, 2016.

The Request for Proposal (RFP) process to award this contract took over four (4) years because, due to economic uncertainties in 2009/2010, the 2009 RFP proposals were held over sixteen (16) months pending instruction to proceed, and it became necessary to reject proposals due to aging of proposed prices.

While the RFP that resulted in the current contract was re-released and was in process (Report No. 11-059), the City experienced the wind storms of 2011, without an as-needed tree trimming and removal contract in place. Many firms were retained on an emergency basis to clear the fallen trees and limbs from parks and other facilities.

Additional natural hazards have been developing while the current as-needed contract has been in use for emergencies, as well as continued reduction of the tree trimming and removal backlogs. The drought of the past few years has caused a minimum of Fourteen Thousand (14,000) parkland tree deaths. In addition to the removal of dead trees, the projections of an El Niño by National Oceanic and Atmospheric Administration's (NOAA) National Weather Service Forecast portend a "Monster El Niño" condition for Southern California this year. The storms caused by an El Niño will fell the already dead trees where ground becomes saturated, as well as fell healthy trees pending storm(s) intensity. This probability alone could require dozens of tree crews throughout the city for immediate emergencies.

Due to the use of this contract over the past two (2) years, the drought, and the projected El Nino winter storms of 2015-2016, staff recommends increasing the current third (3rd) contract year by a not-to-exceed amount of Two Million Dollars (\$2,000,000.00), as well as extending the term of the contract by one (1) year, to add a fourth (4th) year with a not-to-exceed amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) which will increase the total contract compensation ceiling to a not-to-exceed Six Million Dollars (\$6,000,000.00) with an expiration date of April 3, 2017. The Contractor provided five (5) years of per tree pricing in the proposal submitted in 2012, which resulted in Contract No. 3440, and has agreed to honor those year four (4) and year five (5) prices should same contract be amended to extend the term and increase the total contract price.

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Charter Section 1022 Determination

City of Los Angeles Charter Section 1022 (attached) prohibits contracting out work that could be done by City employees unless the Board determines it is more economical or more 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 of Recreation and Parks (RAP) to immediately respond to emergency situations and protect the public, staff and RAP-owned facilities from harm exceeds staff and equipment availability. The damage caused by the 2011 wind storms demonstrated 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.

FISCAL IMPACT STATEMENT:

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

Report was prepared by Nancy Jeffers, Management Analyst II, Service Contracts Group, Finance Division.