

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AMENDMENT NO. 4 TO THE CONTRACT FOR LANDSCAPE MAINTENANCE SERVICES WITH TERRACARE ASSOCIATES FOR A TWO-YEAR TERM FROM JANUARY 1, 2024 TO DECEMBER 31, 2025, IN THE AMOUNT OF \$9,068,134.15, PLUS FUNDING AUTHORIZATION OF 15% FOR ADDITIONAL SERVICES IN THE AMOUNT OF \$1,360,220.13, FOR A TOTAL AUTHORIZED NOT TO EXCEED CONTRACT AMOUNT OF \$22,564,857.98 (FOR THE 5-YEAR CONTRACT TERM THAT BEGAN IN JANUARY OF 2021), AND AUTHORIZE THE CITY MANAGER OR DESIGNEE TO APPROVE NECESSARY DOCUMENTS FOR THE ADDITIONAL WORK AND EXTENSIONS, AS APPROPRIATE.

WHEREAS, at its regular meeting on November 20, 2020, City Council awarded a Contract for Landscape Maintenance Services – Parks and LLADs to Terracare Associates (“Terracare”) for a three-year term commencing January 1, 2021; and

WHEREAS, the Contract was written to include two additional two-year renewal options at the discretion of the City; and

WHEREAS, on June 27, 2023, by Resolution 2023-89, City Council adopted the amended 2023/24 Operating Budget; and

WHEREAS, due to Terracare’s consistent high levels of service and responsiveness, staff recommends awarding a two-year extension of the contract through December 31, 2025; and

WHEREAS, as the City has not been satisfied with the current contractor’s performance of the Landscape Maintenance Services for “R” Areas, on September 27, 2023, staff issued a Request for Proposals (RFP) for Landscape Maintenance Services of Right-of-Way (“R” Areas) with responses due on October 24, 2023; and

WHEREAS, a total of forty-one (41) companies were notified of the RFP by U.S. mail or email and provided instructions for obtaining the RFP packet, with the RFP also being placed in a downloadable format on the City’s website; and

WHEREAS, on October 24, 2023, proposals were received from three (3) companies for the Landscape Maintenance of Right-of-Way Areas; and

WHEREAS, as a result of the proposals received, staff recommends awarding the Contract for Landscape Maintenance Services for the "R" Areas to Terracare for a two-year term, with the option to extend for one additional two-year term and Staff has determined that this can be accomplished by amending Terracare's existing Contract for Landscape Maintenance Services, to include the "R" Areas, effective January 1, 2024;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brentwood authorizes the City Manager or designee to execute Amendment No. 4 to the Contract for Landscape Maintenance Services with Terracare Associates for a two-year term from January 1, 2024 to December 31, 2025, in the amount of \$9,068,134.15, plus funding authorization of 15% for additional services in the amount of \$1,360,220.13, for a total authorized not to exceed contract amount of \$22,564,857.98 (for the 5-year contract term that began in January of 2021), and authorizes the City Manager or designee to approve necessary documents for the additional work and extensions, as appropriate.

The total contract amount is broken down as follows:

| Fiscal Year | Annual Landscape Maintenance Services Contract | Unanticipated Additional Services (15%) Authorized | Total Not to Exceed Authorized Amount |
|---|---|---|--|
| 2020/21 (Jan.-June) | \$1,681,956.50 | \$252,293.48 | \$1,934,249.98 |
| 2021/22 (July-June)* | \$3,464,830.39 | \$519,724.56 | \$3,984,554.95 |
| 2022/23 (July-June)* | \$3,568,775.30 | \$535,316.30 | \$4,104,091.60 |
| 2023/24 (July-Dec)* | \$1,837,919.28 | \$275,687.89 | \$2,113,607.17 |
| Subtotal | \$10,553,481.47 | \$1,583,022.23 | \$12,136,503.70 |
| 2023/24 (Jan. - June) | \$2,200,522.74 | \$330,078.41 | \$2,530,601.15 |
| 2024/25 (July - June)* | \$4,533,076.84 | \$679,961.53 | \$5,213,038.37 |
| 2025/26 (July - Dec.)* | \$2,334,534.57 | \$350,180.19 | \$2,684,714.76 |
| Subtotal Amend #4 | \$9,068,134.15 | \$1,360,220.13 | \$10,428,354.28 |
| Grand Total | \$19,621,615.62 | \$2,943,242.36 | \$22,564,857.98 |
| *Includes Not to Exceed estimated CPI of 3% | | | |

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Brentwood at a regular meeting held on November 14, 2023 by the following vote: