



CITY COUNCIL AGENDA ITEM NO. E.12
11/14/2023

SUBJECT: Approval of Amendment No. 4 to the Contract for Landscape Maintenance Services with Terracare Associates.

DEPARTMENT: Parks and Recreation

STAFF: Bruce Mulder, Director of Parks and Recreation
Aaron Wanden, Parks Maintenance Manager

TITLE/RECOMMENDATION

Staff recommends that City Council adopt a Resolution approving and 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 work 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, if appropriate.

FISCAL IMPACT

The fiscal impact for Amendment No. 4 to the Contract for Landscape Maintenance Services for Parks, LLADs, and "R" Areas with Terracare Associates is \$9,068,134.15 plus funding authorization of 15% for unanticipated additional work in the amount of \$1,360,220.13, for a total spending authorization amount of \$22,564,857.98 (for the 5-year contract term that began in January of 2021).

The annual landscape maintenance services provided by this contract amendment for a two-year term from January 1, 2024 to December 31, 2025 will be funded by the Citywide Park Assessment District (\$3,823,445.06), the Lighting and Landscape Assessment Districts (LLADs) (\$4,161,014.12), and the General Fund (\$1,083,674.97). The unanticipated additional landscape services authorized by this amendment (\$1,360,220.13) will be funded by the location serviced. The FY 2023/24 portion of the contract is included in the adopted 2023/24 Operating Budget and the budget for the remaining portion of this contract will be requested in the 2024/25 – 2025/26 Operating Budget.

The total contract amount is broken down as follows:



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| 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% | | | |

BACKGROUND

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. In addition, at the same meeting, a Contract for Landscape Maintenance Services – Right-of Way Areas (“R” Areas) was awarded to Del Conte’s Landscaping (“Del Conte”). Each contract was written to include two additional two-year renewal options at the discretion of the City.

Amendment No. 1 to the contract with Terracare was executed in July 2021, allowing the ability to use contingency funds for additional work for FY 2021/22. Amendment No. 2 was executed in July 2022 allowing the ability to use contingency funds for additional work for FY 2022/23, and Amendment No. 3 was executed in June 2023 to allow use of contingency funds for additional work for FY 2023/24.

Terracare has been serving Brentwood by providing high quality landscape maintenance services in parks, LLADs, and right-of-way areas for fifteen (15) years. The City has been satisfied with the services provided. In addition, Terracare has participated in various community activities involving the City, school districts, and various other local groups at their own time and expense. Terracare has demonstrated a strong dedication to the Brentwood community. Due to Terracare’s consistent high levels of service and responsiveness, staff recommends a two-year extension of the Parks and LLADs contract with Terracare through December 31, 2025.



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The City has not been satisfied with the current contractor's performance of the Landscape Maintenance Services for "R" Areas, and thus on September 27, 2023, Parks and Recreation Department staff issued a Request for Proposal (RFP) for these services, with proposals due on October 24, 2023. A total of forty-one (41) companies were notified of the RFP opportunity by U.S. mail or email and provided instructions for obtaining the RFP packet. Additionally, the RFP was also posted on the City's website.

Three proposals were received, as follows:

| | <u>Annual Base Bid Amount</u> |
|---------------------------|--------------------------------------|
| • Del Conte's Landscaping | \$375,270.82 |
| • Terracare Associates | \$496,729.00 |
| • New Image Landscaping | \$803,645.00 |

As stated in the RFP, the City would award a contract, if at all, in accordance with the selection criteria of the RFP, to a contractor that staff determines offers the best overall value to the City. Based on the proposals received, staff recommends awarding the contract for the "R" Areas to Terracare for a two-year term, with the option to extend for one additional two-year term. 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.

The term of this amendment (which includes Parks, LLADs, and "R" Areas) is for two years (January 1, 2024 through December 31, 2025) with one, two-year renewable option, if chosen by the City. The total not to exceed amount for Amendment No. 4 (which includes Parks, LLADs, and "R" Areas), is \$10,428,354.28. This amount includes an additional 15% to cover unanticipated additional work, such as vandalism, storm related damages, vehicle accident damages, additional accepted areas, and extra work/services that are not currently included in the scope of services.

Effective the following 12-month period (July 1, 2024 – June 30, 2025), and again the 6-month period after that (July 1, 2025 – December 31, 2025), the City will increase the total not to exceed contract amount, using the Consumer Price Index (CPI) – Urban Wage Earners and Clerical Works for the San Francisco – Oakland – Hayward metropolitan area as of April 30th of each year (in no event will the CPI increase exceed 3%, without further Council approval). The amounts in the table in the Fiscal Impact section above reflect a maximum 3% increase, which is already included in the not to exceed total contract amount of \$22,564,857.98.



CITY COUNCIL STRATEGIC INITIATIVE

Not Applicable.

PREVIOUS ACTION

Previous Action by the City Council is included on Attachment 1.

DATE OF NOTICE

Not Applicable.

ENVIRONMENTAL DETERMINATION

Not Applicable.

ATTACHMENT(S)

1. Previous Action
2. Resolution
3. Amendment No. 4 to the Contract for Landscape Maintenance Services