

RESOLUTION NO. 2024-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD APPROVING AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT FOR PARK RESTROOM CLEANING AND TRASH RECEPTACLE MAINTENANCE SERVICES WITH TERRACARE ASSOCIATES FOR A TWO-YEAR TERM FROM JANUARY 1, 2025 – DECEMBER 31, 2026 IN THE AMOUNT OF \$491,065.56, PLUS FUNDING AUTHORIZATION FOR A 5% CONTINGENCY OF \$24,553.28, FOR A TOTAL NOT TO EXCEED AGREEMENT AMOUNT OF \$515,618.84 AND AUTHORIZE THE CITY MANAGER OR DESIGNEE TO APPROVE NECESSARY DOCUMENTS FOR THE BASE BID, EXTRA WORK, AND EXTENSIONS AS APPROPRIATE

WHEREAS, on October 1, 2020, Parks and Recreation staff distributed a Request for Proposals for Park Restroom Cleaning and Trash Receptacle Services; and

WHEREAS, on December 8, 2020, by Resolution 2020-151, City Council approved and authorized the City Manager or designee to execute an Agreement for Park Restroom Cleaning and Trash Receptacle Maintenance Services with Terracare Associates for a two-year term from January 1, 2021 – December 31, 2022 in the amount of \$366,760.10 ("Agreement"), plus a 5% contingency of \$18,338.00, for a total not to exceed amount of \$385,098.10 and authorized the City Manager or designee to approve necessary documents for the base bid, extra work, and extensions as appropriate; and

WHEREAS, on June 28, 2022, by Resolution 2022-86, City Council adopted the 2022/23 – 2023/24 Operating Budget; and

WHEREAS, on November 8, 2022, by Resolution 2022-139, City Council approved and authorized the City Manager or designee to execute Amendment No. 1 to the Agreement for Park Restroom Cleaning and Trash Receptacle Maintenance Services with Terracare Associates for a two-year term from January 1, 2023 – December 31, 2024 in the amount of \$462,877, plus a 5% contingency of \$23,144, for a total not to exceed amount of \$486,021 and authorized the City Manager or designee to approve necessary documents for the base bid, extra work, and extensions as appropriate; and

WHEREAS, on June 25, 2024, by Resolution 2024-73, City Council adopted the FY 2024/25 – 2025/26 Operating Budget; and

WHEREAS, Terracare Associates has been very satisfactory in carrying out the services to date; and

WHEREAS, City and Contractor have agreed to an updated Scope of Work and fee schedule to reflect additional park restrooms, trash receptacles and mutt mitt stations.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Brentwood hereby approves and authorizes the City Manager or designee to execute Amendment No. 2 to the Agreement for Park Restroom Cleaning and Trash Receptacle Maintenance Services with Terracare Associates for a two-year term from January 1, 2025 – December 31, 2026 in the amount of \$491,065.56, plus funding authorization for a 5% contingency of \$24,553.28, for a total not to exceed Agreement amount of \$515,618.84 and authorizes the City Manager or designee to approve necessary documents for the base bid, extra work, and extensions as appropriate.

The total not to exceed Agreement amount, including the funding authorization for contingencies, for the 6-year period is \$1,386,737.15, broken down as follows:

<u>Fiscal Year</u>	<u>Agreement Amount</u>	<u>Contingency</u>	<u>Total Amount Not to Exceed</u>
Original Agreement			
2020/21 (Jan-Jun)	\$89,000.00	\$4,450.00	\$ 93,450.00
2021/22	\$183,340.00	\$9,167.00	\$192,507.00
2022/23 (July – Dec)	<u>\$94,420.10</u>	<u>\$4,721.00</u>	<u>\$99,141.10</u>
Subtotals	\$366,760.10	\$18,338.00	\$385,098.10
Amendment 1			
2023/24 (Jan – Jun)	\$112,324.10	\$5,616.21	\$117,940.31
2023/24	\$231,387.65	\$11,569.38	\$242,957.03
2024/2025 (July – Dec)	<u>\$119,164.64</u>	<u>\$5,958.23</u>	<u>\$125,122.87</u>
Subtotals Amend. 1	\$462,876.39	\$23,143.82	\$486,020.21
Amendment 2			
2024/25 (Jan – Jun)	\$119,164.64	\$5,958.23	\$125,122.87
2025/26	\$245,479.16	\$12,273.96	\$257,753.12
2026/2027 (July – Dec)	<u>\$126,421.76</u>	<u>\$6,321.09</u>	<u>\$132,742.85</u>
Subtotals Amend. 2	\$491,065.56	\$24,553.28	\$515,618.84
TOTALS	\$1,320,702.05	\$66,035.10	\$1,386,737.15

PASSED, APPROVED AND ADOPTED by the City Council of the City of Brentwood at a regular meeting held on December 10, 2024 by the following vote: