July 28, 2009

TO: Mayor and City Council

FROM: Robert Murdoch, Interim Director
Public Works Department

SUBJECT: CONTRACT AMENDMENTS NO. 2 AND 3 WITH ODYSSEY LANDSCAPE
COMPANY FOR PARK MAINTENANCE AND JANITORIAL SERVICE –
PROJECT PUR 09-031

RECOMMENDATION

It is recommended that two resolutions be adopted authorizing the City Manager to
approve Contract Amendment No. 2 and No. 3 with Odyssey Landscape Company to add
areas to be maintained as part of the Park Maintenance and Janitorial Service Project
(PUR 09-031). The first resolution will allow approval of Contract Amendment No. 2 in the
amount of $163,588.79 for the addition of Victory Park, Weber Point, and 13 other
downtown locations to the Project. The first resolution will also ratify the new total contract
amount of $1,127,733.29 (which includes prior Contract Amendment 1 in the amount of
$44,704.50).

The second resolution will allow approval of Contract Amendment No. 3 in the amount of
$14,864.29 for the addition of the East Bay Municipal Utilities District property along the
south side of March Lane between Interstate 5 and McGaw Street to the Project. It is
further recommended that both resolutions authorize the City Manager to record any and
all appropriations and transactions appropriate to complete funding of the amendments.

Summary

On May 19, 2009, the City Council approved a contract with Odyssey Landscape Company
(Odyssey) to provide regular landscape maintenance and janitorial/site cleaning/play
equipment inspection services for City parks. The initial term of the contract is from July 1,

As a consequence of the recently approved City Budget, the Public Works Department will
only have staffing to sufficiently maintain three of the City’s five major parks. The five
major parks are Victory, Stribley, Weber Point/downtown facilities, Oak, and Louis.
Therefore, two of the parks (Victory & Weber Point/downtown facilities) will need to be
added to the Odyssey contract.

Contract Amendment No. 3, in the amount of $14,864.29, would authorize Odyssey to
provide regular landscape maintenance service on the East Bay Municipal Utility District
property along the south side of March Lane from Interstate 5 to McGaw Street.

AGENDA ITEM 6.07

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There is sufficient funding in General Fund account 010-3070-590.20-25, Parks Maintenance Operating Expenses, Maintenance and Repair Services to pay for these additional services.

DISCUSSION

Background

On May 19, 2009, by Resolution 09-0143 the City Council approved a contract with Odyssey Landscape Company to provide regular landscape maintenance and janitorial/site cleaning/play equipment inspection services for City parks. The initial term of the contract is from July 1, 2009, to December 31, 2010. The contract provides for adding parks/facilities to be maintained during the term of the contract provided the contractor is willing to maintain the sites at the same cost per acre as existing parks/facilities.

Contract Amendment No. 1 in the amount of $44,704.50 was approved administratively for landscape and janitorial/site cleaning/play equipment inspection services at Misasi Park which is located adjacent to McNair High School. This facility was not included in the original park maintenance scope because the City was in discussions with Lodi Unified School District (LUSD) about providing maintenance services since our facilities are adjacent to each other. However, based on Odyssey’s unit costs, Odyssey could provide the service at a much lower cost than LUSD.

The janitorial/site cleaning and play equipment inspection services are provided at all parks except Louis, Oak, Stribley, and Victory Parks and Weber Point Event Center/downtown facilities. Public Works staff was to continue to provide janitorial/site cleaning and play equipment inspection services at these five parks due to their size, intensity of use, and public events. The Public Works maintenance staff stationed at Weber Point would have also maintained 13 other downtown areas (Teen Center, City Hall, Civic Auditorium, Permit Center, Community Service Building (tree wells), De Carli Plaza, Hunter Square, Main Street Plaza - Center Street to 60 feet west of Commerce Street, Children's Museum, Municipal Service Center/Animal Control - Lincoln Street frontage, Police Building - 22 E. Market, Sievert Center - landscaping around the building fronting on Ben Holt and Alturas, and McLeod Lake Park).

This plan anticipated that Public Works would have 17 parks workers to perform this work. However, as a result of the recently adopted City budget, Public Works currently has only 15 parks workers and will only have 11 parks workers by January 1, 2010. This level of staffing will only allow for the continued maintenance at three of the five major parks.
Present Situation

Contract Amendment No. 2 will amend the contract with Odyssey to provide janitorial/site cleaning and play equipment inspection services at Victory Park and Weber Point Event Center starting August 1, 2009. These sites were selected because they do not have ball fields rented for tournaments or other recreational facilities that need constant and/or specialized attention.

Services will include daily site cleanup/pick-up of trash and debris, emptying trash receptacles 3 times a day, seven (7) days a week, daily cleaning and restocking the bathrooms, and providing all necessary supplies for the additional services. Odyssey personnel will not be stationed at each site, however, there will be a person that will alternate visits to each site multiple times a day. The goal is to provide a level of service that is comparable to what is currently being provided by City staff. Odyssey's cost for services at Victory Park and Weber Point Event Center is $7,645.00 per month for the remainder of the contract term from August 1, 2009 to December 31, 2010. This would total $129,965.00.

Since there would no longer be staff at Weber Point Events Center to maintain downtown landscaping like the areas around City Hall and the Civic Auditorium, the amendment also includes maintenance services at 13 locations noted previously. Cost for services at the 13 additional locations totals $1,977.87 per month for the remainder of the contract term from August 1, 2009 to December 31, 2010. This would total $33,623.79. Maintenance costs are at the same cost per acre as for existing contract locations. The total cost for all additional services from August 1, 2009, to December 31, 2010, is $163,588.79.

Contract Amendment No. 3 consists of the segment of the East Bay Municipal Utilities District (EBMUD) property between Interstate 5 and McGaw Street. This area was landscaped in the early 1980's with the development of the Venetian Bridges subdivision. See Attachment 1. There was an agreement with the Venetian Bridges Association that obligated the Association to maintain the landscaping for 20 years. In December 2003, the Venetian Bridges Association advised the City they would no longer maintain the landscaping on the EBMUD property between Interstate Route 5 and McGaw Street. At that time, the Parks and Recreation Department assumed maintenance responsibility for the property. In November of 2008, the City Council adopted budget reductions that eliminated maintenance and irrigation of this landscaping. Since that time, the condition of the landscaping has deteriorated and is generating regular calls from area residents and business owners.

Contract Amendment No. 3 will provide for regular landscape maintenance for the EBMUD property between Interstate Route 5 and McGaw Street. Landscape maintenance service would include once a week mowing from March 1st to November 15th, every other week
mowing from November 16th to February 28th, trimming the shrubs five (5) times a year, edging every other week, once a week trash/litter/debris collection, and checking and adjusting the irrigation system. Cost for landscape maintenance service would be $874.37 per month for the remainder of the contract term from August 1, 2009 to December 31, 2010. This would total $14,864.29. The maintenance cost for this area is at the same cost per acre as for existing contract parks. The Municipal Utilities Department will be providing water for irrigation.

FINANCIAL SUMMARY

Funds for Contact Amendments No. 2 and 3 would be from General Fund Account 010-3070-590.20-25, Parks Maintenance Operating Expenses, Maintenance and Repair Services. There are sufficient funds in this account to cover the cost of these amendments for the remainder of the 2009-2010 fiscal year.

Respectfully submitted,

APPROVED

ROBERT MURDOCH
INTERIM PUBLIC WORKS DIRECTOR

J. GORDON PALMER, JR.
CITY MANAGER

RM:dk

Attachment

::ODMA\GRPWISE\COS_PW\PW_Library:140437.1
PUR 090-031, Contract Amendment No. 3,
Landscape Maintenance for EBMUD from I-5 to McGaw
RESOLUTION AUTHORIZING CONTRACT AMENDMENT NO. 2 WITH ODYSSEY LANDSCAPE COMPANY, INC., FOR ADDITIONAL SERVICES

On May 19, 2009, by Resolution No. 09-0143, the City of Stockton, a municipal corporation, hereinafter referred to as “CITY,” and Odyssey Landscape Company, Inc., hereinafter referred to as “CONTRACTOR,” entered into a contract in the amount of $919,440.00, for PUR 09-031; and

Contract Amendment No. 1, in the amount of $44,704.50, has been processed adding area to be maintained; and

City desires to have CONTRACTOR perform additional services at additional parks/facilities; and

Contract Amendment No. 2, in the amount of $163,588.79, has been prepared detailing the additional services to be performed and the parks/facilities at which said services are to be performed; and

Contract Amendment No. 2 provides for a new total contract amount of $1,127,733.29 and is recommended for approval; now, therefore;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. That Contract Amendment No. 2 between the CITY and CONTRACTOR, in the amount of $163,588.79, a copy of which is attached hereto as Exhibit “A” and incorporated by this reference, is hereby approved.

2. That the City Manager is hereby authorized to execute said Contract Amendment No. 2 on behalf of the City of Stockton.
3. That the new total contract amount of $1,127,733.29, which also includes previously-approved Contract Amendment No. 1 totaling $44,704.50 and Contract Amendment No. 2, is hereby approved.

4. That the City Manager is authorized to take such other actions as are appropriate to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED ____________________________

________________________________________
ANN JOHNSTON
Mayor of the City of Stockton

ATTEST:

________________________________________
KATHERINE GONG MEISSNER
City Clerk of the City of Stockton
CITY OF STOCKTON
Contract Amendment No. 2

Odyssey Landscape Company, Inc.
Project No. PUR 09-031, Resolution No. 09-0143

Original Contract Price $919,440.00
CA No. 1 $44,704.50
CA No. 2 $163,588.79
Revised Contract Price $1,127,733.29

TO Odyssey Landscape Company, Inc., You are hereby directed to make the herein described changes from the plans and specifications to perform the following described work not included in the plans and specifications of this contract.

All labor, equipment, and materials to provide site cleaning, to empty trash receptacles and clean and restock restrooms at Victory Park and Weber Point Events Center per proposal dated July 7, 2009, from August 1, 2009 to December 31, 2010 ($129,965.00); and all labor, equipment, and materials to provide regular landscape maintenance and Janitorial/site cleaning/play equipment inspection services at the Community Park service level at the Teen Center, City Hall, Civic Auditorium, Permit Center, Community Services Building, DeCarli Plaza, Hunter Square, Main Street Plaza, and Children's Museum, all in accordance with the specifications for PUR 09-031 from August 1, 2009, through December 31, 2010; and all labor, equipment, and materials for Janitorial/site cleaning/play equipment inspection services at the Community Park service level at McLeod Lake park in accordance with the specifications for PUR 09-031 from August 1, 2009, through December 31, 2010; and all labor and materials to provide landscape maintenance service at the Municipal Service Center/Animal Control site, Police Department Building at 22 E. Market, and landscaping around and in front of Selkert Community Center in accordance with the specifications for PUR 09-031 from August 1, 2009, through December 31, 2010.

010-3070-590.20-25 $163,588.79

The additional compensation, if any, included in this change order constitutes the full compensation, including all mark ups, profit, surcharges, taxes and overhead costs, for the change in work specified.

We, the undersigned contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above.

By reason of this proposed change, 5 days extension of time will be allowed.

Accepted Date __________________________

Odyssey Landscape Company, Inc. (Contractor)

By __________________________

Title __________________________

Note: This change order is not effective until approved by the City Manager or if under Council approved limits, Department Director.

*Increase/Decrease

Total cost of change not to exceed $ 163,588.79

Approval
Recommended __________________________

Director of Public Works

Approved __________________________

City Manager

200 __________________________

City Council Resolution

No __________________________

Available Funding

Verified __________________________

Admin. Analyst

APPROVED AS TO FORM
OFFICE OF CITY ATTORNEY

By __________________________

DEPUTY CTY ATTORNEY
Attn: David Kroll  
City of Stockton  
9 E. Lindsay St.  
Stockton, CA 95202  
(209) 937-8876  
(209) 937-8260 FAX  

RE: Proposal for Janitorial Services  
Job: Weber Point and Victory Park, Stockton, CA.  

Dear Mr. Kroll,  

As per your request, the following is a proposal to provide janitorial services at the Weber Point Event Center and Victory Park in Stockton, CA. This price includes staff pick up trash at both sites at least (3) times a day, (7) days a week. As well as clean restrooms as needed. Price to follow our pricing of extra work and adding in for equipment and extra supplies.  

Total cost per month: $7,645.00  

Thank you for the opportunity to place this bid, we are looking forward to work with you on this project. And please do not hesitate to call me should you have any questions.  

Sincerely,  
Dave Silva  
Landscape Maintenance Division  
Phone: 209.369.6197  
Fax: 209.369.6985  
Cell: 209.810-6918  
Email: dsliva@odysseylandscape.com  

800 W. Eight Mile Rd, Stockton, CA 95209  

July 7, 2009
**PUR 09-031, CONTRACT AMENDMENT NO. 2, Additional Facilities Maintained**

**Contract Amendment 2, PUR 09-031**

**Landscape Maintenance and Janitorial/Site Cleaning at Additional Facilities**

<table>
<thead>
<tr>
<th>Facility</th>
<th>Acres</th>
<th>Bid Cost/Acyr for Community Park Service</th>
<th>Annual Cost at Bid Schedule Frequency</th>
<th>Landscape Service Cost/Acyr</th>
<th>Annual Cost at Bid Schedule Frequency</th>
<th>Total Annual Cost</th>
<th>Total Monthly Cost</th>
<th>August 1, 2009 to December 31, 2009 Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Teen Center, 1.4 ac. Total site area, 9900 sf landscaped</td>
<td>1.4</td>
<td>$549.14</td>
<td>$768.80</td>
<td>$941.03</td>
<td>$1,217.44</td>
<td>$2,086.24</td>
<td>$173.85</td>
<td>$2,955.45</td>
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<td>2 City Hall, 1.96 ac total site, 24,800 sq. ft. landscaping</td>
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<td>$549.14</td>
<td>$1,087.30</td>
<td>$941.03</td>
<td>$1,863.24</td>
<td>$3,450.54</td>
<td>$245.89</td>
<td>$4,180.13</td>
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<td>3 Civic Auditorium, 2.10 total site, 22,500 sq. ft. landscaping</td>
<td>2.1</td>
<td>$549.14</td>
<td>$1,153.19</td>
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<td>$260.78</td>
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<td>4 Permit Center, 1000 sq. ft. landscaping</td>
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<td>$549.14</td>
<td>$10.98</td>
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<td>$29.80</td>
<td>$2.48</td>
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<td>5 Community Service Building, 8 tree wells</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<td>6 Decatur Plaza, 2.24 ac. Total site; 14,500 sq. ft. landscaping</td>
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<td>$549.14</td>
<td>$1,230.07</td>
<td>$941.03</td>
<td>$2,107.91</td>
<td>$3,337.98</td>
<td>$278.17</td>
<td>$4,728.89</td>
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<td>7 Hunter Square</td>
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<td>$549.14</td>
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<td>$3,020.73</td>
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<td>$4,137.03</td>
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<tr>
<td>8 Main Street Plaza, Center St. to 60 feet west of Commerce, 45,000 sq. ft. mixed landscaping and sidewalk</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>9 Children's Museum, 3.0 total site, 36,200 sq. ft. landscaping</td>
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<td>10 Municipal Service Center/Animal Control, 27,500 sq. ft. landscaping</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>11 Police Department Building, 22 E Market, landscaping around block and building</td>
<td>0.34</td>
<td>$549.14</td>
<td>$1,592.85</td>
<td>$941.03</td>
<td>$319.95</td>
<td>$592.85</td>
<td>$43.02</td>
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<td>12 Siebert Center, landscaping around building and parking lot</td>
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<td>$549.14</td>
<td>$1,893.98</td>
<td>$941.03</td>
<td>$3,729.98</td>
<td>$6,093.98</td>
<td>$51.54</td>
<td>$6,093.98</td>
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<td>13 McLeod Lake</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td><strong>Totals</strong></td>
<td>18.32</td>
<td>$549.14</td>
<td>$7,554.20</td>
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<td>$13,503.78</td>
<td>$20,445.13</td>
<td>$1,677.57</td>
<td>$33,023.79</td>
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*July 8, 2009*
Areas of Maintenance

PUR 09-031, Contract Amendment No. 2
Municipal Service Center/Animal Control
Landscaping along Lincoln Street/Turnpike
PUR 09-031, Contract Amendment No. 2
Police Dept. Bldg., 22 E Market
Landscaping and tree wells around building,
planter areas in front of building
RESOLUTION AUTHORIZING CONTRACT AMENDMENT NO. 3 WITH ODYSSEY LANDSCAPE COMPANY, INC., FOR MAINTENANCE OF ADDITIONAL AREAS

On May 19, 2009, by Resolution No. 09-0143, the City of Stockton, a municipal corporation, hereinafter referred to as "CITY," and Odyssey Landscape Company, Inc., hereinafter referred to as "CONTRACTOR," entered into a contract in the amount of $919,440.00, for PUR 09-031; and

On July 28, 2009, by Resolution Number 09-__________, the City Council approved Contract Amendment No. 2 and previously approved Contract Amendment No. 1, which increased the total contract amount to $1,127,733.29; and

The City now desires to have CONTRACTOR perform additional services at additional parks/facilities; and

Contract Amendment No. 3, in the amount of $14,864.29, has been prepared detailing the additional services to be performed and the location at which said services are to be performed; and

Contract Amendment No 3 provides for a new total contract amount of $1,142,597.58 and is recommended for approval; now, therefore;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. That Contract Amendment No. 3 between the CITY and CONTRACTOR, in the amount of $14,864.29, a copy of which is attached hereto as Exhibit "A" and incorporated by this reference, is hereby approved.
2. That the City Manager is hereby authorized to execute said Contract Amendment No. 3, on behalf of the City of Stockton, and the new total contract amount of $1,142,597.58, which also includes previously-approved Contract Amendments No. 1 and 2 totaling $208,293.29, is hereby approved.

4. That the City Manager is authorized to take such other actions as are appropriate to carry out the intent of this Resolution.

PASSED, APPROVED, and ADOPTED ____________________________.

ANN JOHNSTON
Mayor of the City of Stockton

ATTEST:

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton
EXHIBIT A

CITY OF STOCKTON

Contract Amendment No. 3

Odyssey Landscape Company, Inc.
Project No. PUR 09-031, Resolution No. 09-0143

Original Contract Price $919,440.00
CA No. 1 $44,704.50
CA No. 2 $161,924.37
CA No. 3 $14,864.29
Revised Contract Price $1,142,597.58

TO Odyssey Landscape Company, Inc., You are hereby directed to make the herein described changes from the plans and specifications to perform the following described work not included in the plans and specifications of this contract:

All labor, equipment, and materials to provide regular landscape maintenance services on the East Bay Municipal Utilities District Property from the easterly side of Interstate Route 5 to the westerly side of McGaw St. in accordance with the specifications for PUR 09-031 from August 1, 2009, through December 31, 2010.

010-3070-590.20-25 $14,864.29

The additional compensation, if any, included in this change order constitutes the full compensation, including all mark ups, profit, surcharges, taxes and overhead costs, for the change in work specified.

We, the undersigned contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above.

By reason of this proposed change, 0 days extension of time will be allowed.

Accepted Date

Odyssey Landscape Company, Inc.

(Contractor)

By

Title

Note: This change order is not effective until approved by the City Manager or if under Council approved limits, Department Director.
PUR 09-031, CONTRACT AMENDMENT NO. 3, Landscape Maintenance of East Bay Municipal Utilities District Property, Interstate Route 5 to McGaw St.

Contract Amendment 3, PUR 09-031

EBMUD - I-5 to McGaw St., Regular Landscape Maintenance in accordance with PUR 09-031, PUR 09-031 bid price.

<table>
<thead>
<tr>
<th>Facility</th>
<th>Acres</th>
<th>Bid Cost/Ac/Yr for Landscape Maintenance Service</th>
<th>Annual Cost at Bid Schedule Frequency (12 months)</th>
<th>Monthly Cost</th>
<th>August 1, 2009 to December 31, 2009 Costs (17 Months)</th>
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<tbody>
<tr>
<td>EBMUD I-5 to McGaw</td>
<td>11.15</td>
<td>$941.03</td>
<td>$10,492.48</td>
<td>$874.37</td>
<td>$14,864.29</td>
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June 25, 2009