CONSENT AGENDA

AGENDA ITEM 12.09
TO: Mayor and City Council

FROM: Gordon A. MacKay, Director
       Public Works Department

SUBJECT: REQUEST FOR PROPOSAL - PARK LANDSCAPE MAINTENANCE,
PARK JANITORIAL/SITE CLEANING SERVICE, AND PLAY
EQUIPMENT INSPECTION WITH GUARANTEED MAXIMUM PRICE
(PROJECT NO. PW 13-02)

RECOMMENDATION

It is recommended that the City Council adopt a resolution accepting findings and
authorizing the City Manager to issue a Request for Proposal (RFP) for provision of
park landscape maintenance, park janitorial/site cleaning, play equipment inspection,
and various irrigation system repair services for three years at a guaranteed maximum
price not to exceed $975,000 per year ($800,000 for the general maintenance contract
and an additional $175,000 allowance for repairs and vandalism). It is further
recommended that the City Manager be authorized to take appropriate actions to carry
out the purpose and intent of this resolution.

Summary

Park landscape maintenance, park janitorial/site cleaning, and play equipment
inspection services have historically been awarded through a formal competitive bid
process. This process requires bidders to submit their best price to comply with specific
schedules and instructions for maintenance tasks, with the work then awarded to the
lowest responsible bidder. The current contract for these services at the General Fund
parks expires at the end of the 2013 calendar year.

The overall budget for General Fund parks contracted services in the current fiscal year
is $1,142,000, and a similar funding level is anticipated in fiscal year 2013/14. The
parks contractual services budget provides funds for various public property
maintenance services, with the largest portion of this budget allotted for the General
Fund park maintenance and repair service contract. The estimated cost to maintain
current maintenance service levels, including repairs, at the General Fund parks in
fiscal year 2013/14 is $1,300,000. As this level of funding is not expected to be
available, service levels in the new contract will need to be reduced substantially.

As an alternative to bidding a new contract with substantially reduced service levels,
staff recommends using the RFP process to solicit proposals for provision of routine
maintenance services within a guaranteed maximum price of $975,000. This process
will allow for consideration of factors beyond cost, and allow contractors to propose
innovative, flexible schedules and methods to provide the best level of quality without
exceeding the guaranteed maximum price.
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DISCUSSION

Background

Until the mid-1990's, all City parks were maintained by City staff and costs were borne by the General Fund. Typical park maintenance activities included: routine scheduled landscape maintenance, janitorial/site cleaning, inspection of playground fall surfacing and equipment and, when needed, replanting, vandalism repairs, and irrigation system repairs.

In 1992, Council adopted Resolution No. 92-0035, stating that it will be the policy of Council that all future maintenance districts would be formed under the Landscaping and Lighting Act of 1972 (LLA). The LLA allows maintenance of public parks to be funded from assessments levied on residents. The first new parks utilizing this Assessment District funding model were completed in 1997. Assessment District park maintenance has been undertaken primarily by contractors, with City staff inspecting the contractor's work to ensure conformance with the maintenance specifications.

In 2009, the contracted services model used in Assessment District parks was applied to the General Fund parks. Generally, the contract issued at that time replicated the services that had been performed by City staff. Budget limitations required that the frequency of certain services were reduced from what had traditionally been provided, and full time staffing at major parks was eliminated.

The current General Fund park maintenance services contract was awarded to Odyssey Landscape Company in 2009. This contract was awarded through the competitive bid process and expires on December 31, 2013. The frequency at which various maintenance tasks were to be performed was dictated in the contract specifications. Those maintenance tasks include services such as mowing, shrub trimming, trash collection, emptying trash cans, and cleaning bathrooms. This type of maintenance contract does not allow the contractor any flexibility, and can potentially result in services being performed when not necessary.

Present Situation

The General Fund budget for contracted park maintenance and repair services in the current fiscal year is $1,142,000. This budget allocation funds routine park maintenance and repair services, and also funds services that are distinct from routine park maintenance. These distinct services include landscape maintenance at City facilities (such as City Hall, Civic Auditorium, and the Teen Center), pump maintenance, bicycle path sweeping, playground fall surfacing repair/replacement, backflow prevention testing, pest control, Weber Point Events Center fountain maintenance and start-up, and vandalism repairs. The amount paid for routine park maintenance
services for calendar year 2012 was $996,251. The amount paid for distinct services, separate and apart from routine park maintenance, was $152,801, resulting in a total overall expenditure of $1,149,052.

Based on the most recent bids received for park maintenance services in the Assessment District parks, the price for the General Fund park routine maintenance contract(s) in calendar year 2014 is expected to increase significantly. The cost to maintain current routine maintenance service levels at the General Fund parks is estimated at $1,300,000 per year. Including the anticipated $150,000 for distinct services, the total estimated cost for General Fund park maintenance is approximately $1,450,000, which is over $300,000 more than the anticipated 2014 budget of $1,142,000.

In order to develop a revised specification for a competitive bid contract that will be within the anticipated budget, significant service level reductions will be necessary. As an alternative, staff recommends using the RFP process to solicit proposals for provision of routine maintenance services within a guaranteed maximum price. This process will allow for consideration of factors beyond cost, and allow contractors to propose innovative, flexible schedules and methods to provide the best level of quality without exceeding the guaranteed maximum price.

Staff has developed a base Scope of Services/Special Provisions that is based on the City's direct experience with contracted park maintenance and repair services. This document identifies services that are required, but as opposed to traditional rigid work specifications, the standards for these services are more flexible and qualitative.

The RFP document requests that proponents present an "innovative" work plan meeting the City's goals for facility maintenance and public welfare. The Scope of Services/Special Provisions provide a basis whereby proponents can evaluate the City's needs and recommend creative approaches for providing service that will maximize efficient, cost-effective operations. Service frequency and standards described in the Scope of Services/Special Provisions are considered flexible, allowing contractors room for innovative service delivery recommendations. This will allow the City to evaluate new or more efficient methods of service delivery, or other alternatives that could maintain or enhance service levels at a lower overall cost.

The Scope of Services/Special Provisions specifies a guaranteed maximum price of $975,000 ($800,000 for the general maintenance contract and an additional $175,000 allowance for maintenance repairs and vandalism), which is based on the expenditures for calendar year 2012.
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In general, the successful proponent will be required to provide maintenance services that will:

- Present the parks in an attractive, desirable, neat, and trim appearance;
- Include, but not be limited to, mowing, trimming, pruning, repairs, and adjustments to the irrigation system to keep turf and plant material healthy;
- Integrate a high level of quality in maintenance, together with standard horticultural practices and modern techniques accepted by the industry; and
- Provide a level of janitorial/site cleaning and play equipment inspection services that will keep facilities clean and safe.

The tentative schedule for the RFP process is as follows:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>RFP Release</td>
<td>April 25, 2013</td>
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<tr>
<td>Proposals Due</td>
<td>May 30, 2013</td>
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<tr>
<td>Presentations &amp; Interviews</td>
<td>Week of June 24, 2013</td>
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<tr>
<td>Finalize Proposed Agreement</td>
<td>July 10, 2013</td>
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<tr>
<td>Contract to Council</td>
<td>August 27, 2013</td>
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The RFP will be advertised in The Record and posted on the City's Bid Flash website.

The Local Employment Ordinance (Stockton Municipal Code Section 3.68.095) will apply to any contract that may result from this process. This ordinance requires the contractor “to make a good faith effort . . . to employ qualified individuals who are, and have been for one year prior to the effective date of the contract, residents of Stockton in sufficient numbers so that no less than 50 percent of the contractor’s total construction work force, including any subcontractor work force, measured in labor work hours, is comprised of Stockton residents.” Contractors who fail to achieve the 50 percent goal must demonstrate that they made a good faith effort to do so by undertaking and documenting at least six of eleven specified employee recruitment activities. Failure to comply may cause the contractor to be barred from bidding on future City contracts.

Findings

Section 3.68.070 of the Stockton Municipal Code allows exceptions to the competitive bidding process, such as a negotiated contract following solicitation of competitive proposals, provided that findings to support and justify such exceptions are approved by Council before any RFP is issued. Potential findings are listed in City Council Policy 300-1. It is recommended that Council adopt the following findings:
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1. The provision of landscape maintenance services is a dynamic service that requires the contractor to be flexible and responsive.

2. Limitations in funding necessitate a change in the way services have been traditionally delivered, and successful implementation of this change requires a contractor with extensive experience and resources.

3. A competitive bidding process requiring compliance with detailed specifications to obtain a uniform price proposal would not afford the contractor flexibility in determining how and when services are required to be performed.

4. The RFP process will allow flexibility in service frequency and methods, while still delivering the parks in conditions consistent with the intent as described in the Scope of Services/Special Provisions.

Based on these findings, an exception to the competitive bidding process is justified, and the use of the RFP process to obtain these services is recommended.

FINANCIAL SUMMARY

Funding for this work will be part of Public Works’ annual General Fund budget request to be included in the proposed fiscal year 2013/14 operating budget. There is no financial impact related to issuing the proposed RFP. If Council authorizes issuing this RFP, a contract for services will be brought before Council for consideration following selection of the most suitable proponent.

Respectfully submitted,

GORDON A. MACKAY, DIRECTOR
PUBLIC WORKS DEPARTMENT

APPROVED

KURT O. WILSON
DEPUTY CITY MANAGER

GAM:VM:sc

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Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION AUTHORIZING DISTRIBUTION OF A REQUEST FOR PROPOSAL - PARK LANDSCAPE MAINTENANCE, PARK JANITORIAL/SITE CLEANING SERVICE, AND PLAY EQUIPMENT INSPECTION WITH GUARANTEED MAXIMUM PRICE (PROJECT NO. PW 13-02)

Section 3.68.070 of the Stockton Municipal Code (SMC) allows for negotiated contracts through the Request for Proposal (RFP) process after the City Council has approved findings which support and justify the process; now, therefore,

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

1. The City Council hereby approves the following findings to support the distribution of an RFP for park landscape maintenance, park janitorial/site cleaning service, and play equipment inspection with a guaranteed maximum price:
   
a. The provision of landscape maintenance services is a dynamic service that requires the contractor to be flexible and responsive.

b. Limitations in funding necessitate a change in the way services have been traditionally delivered, and successful implementation of this change requires a contractor with extensive experience and resources.

   c. A competitive bidding process requiring compliance with detailed specifications to obtain a uniform price proposal would not afford the contractor flexibility in determining how and when services are required to be performed.

   d. The RFP process will allow flexibility in service frequency and methods, while still delivering the parks in conditions consistent with the intent as described in the Scope of Services/Special Provisions.

2. Based on these findings and pursuant to SMC Section 3.68.070, the City Council hereby declares that an exception to the competitive bidding process is justified and authorizes the City Manager to issue an RFP for park landscape maintenance, park

City Atty.
Review: [Signature]
Date: April 10, 2013
janitorial/site cleaning service, and play equipment inspection with a guaranteed maximum price of $975,000 ($800,000 for the general contract and an additional $175,000 allowance for maintenance repairs and vandalism).

3. The City Manager is authorized to take the appropriate actions to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED _______ April 16, 2013 _________.

ANTHONY SILVA, Mayor
of the City of Stockton

ATTEST:

BONNIE PAIGE, City Clerk
of the City of Stockton