



CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 11

Date: June 9, 2010

TO: Honorable Mayor and Members of the City Council

FROM: Edward N. Domingue, Director of Engineering Services
Frank P. Schmitz, Parks and Open Space Administrator

SUBJECT: First Amendment to Agreement with Mr. B's Landscape Maintenance

RECOMMENDATION:

It is requested that Council adopt Resolution No. 2010-88 authorizing the First Amendment to the Public Service Agreement with Mr. B's Landscape Maintenance for landscape maintenance services in the City of Escondido Landscape Maintenance District (LMD) that will extend the term of the agreement to June 30, 2011 and add maintenance responsibilities for one additional LMD zone.

FISCAL ANALYSIS:

This work is funded through the LMD.

PREVIOUS ACTION:

The City Council approved the original agreement with Mr. B's Landscape Maintenance by adopting Resolution 2008-144 on July 9, 2008.

BACKGROUND:

In May 2008 proposals for "LMD Landscape Maintenance Services" were received from fourteen landscape maintenance contractors. Mr. B's Landscape Maintenance was determined to be the lowest responsive bidder and was awarded the contract for landscape maintenance services for thirty zones in the LMD at a monthly maintenance fee of \$18,359.

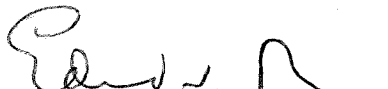
The term of the original agreement was for a period of twenty-four months from July 1, 2008 through June 30, 2010. With satisfactory performance and mutual agreement between the City and Contractor, the original agreement provided for 3 one-year extensions beginning July 1, 2010 through June 30, 2013. Mr. B's Landscape Maintenance has submitted a letter (attached) requesting an extension of the agreement for an additional year at the current monthly maintenance fee.

In addition, the City is adding another zone to the maintenance responsibilities of this agreement at a

June 9, 2010
Mr. B's First Amendment
Page 2

fee of \$45 per month. The total monthly maintenance fee for the thirty-one LMD zones in this First Amendment to the original agreement is \$18,404.

Respectfully submitted,



Edward N. Domingue, P.E.
Director of Engineering Services



Frank P. Schmitz
Parks and Open Space Administrator



27005 Goetz Road
Perris, CA 92570-3000
Mailing Address: PO Box 707, Murrieta, CA 92564-0707
951 657-8307 FAX 951 657-1687
E-mail: misterbs@hughes.net

April 7, 2010

Engineering Services Department
City of Escondido
201 N. Broadway
Escondido, CA 92025
Attn: Frank Schmitz

Dear Mr. Schmitz:

First and foremost, I want to thank you for allowing Mr. B's Landscape to provide the landscaping maintenance needs at some of your assessment districts. I personally have enjoyed our contract association. Over the years, we have seen many changes and I feel comfortable in our ability to adapt to the City's needs within the landscape areas we maintain.

Mr. B's landscape contract with the City of Escondido for the past two-year period is coming to an end in June 2010. We understand that an additional one-year contract extension is available. Mr. B's Landscape is interested in continuing to provide the City of Escondido landscaping needs, and is requesting an extension of the contract for an additional one year.

Since our goal is to continue to provide you with the highest quality of work we promised since you hired us, we believe the current monthly fee will allow us to do that. We hope to continue our service with you and look forward to the year.

Sincerely,

Mike Bloxton
Owner

RESOLUTION NO. 2010-88

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE MAYOR AND CITY
CLERK, TO EXECUTE, ON BEHALF OF THE
CITY, A FIRST AMENDMENT TO PUBLIC
SERVICE AGREEMENT WITH MR. B'S
LANDSCAPE MAINTENANCE SERVICES
FOR THE CITY OF ESCONDIDO
LANDSCAPE MAINTENANCE DISTRICT

WHEREAS, the City of Escondido ("City") entered into an agreement on July 17, 2008, ("Original Agreement") with Mr. B's Landscape Maintenance to provide landscape maintenance services for the City Landscape Maintenance District; and

WHEREAS, the Director of Engineering Services recommends a First Amendment to Public Service Agreement ("First Amendment") to include additional work and to extend the term of the Original Agreement to June 30, 2011.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the City Council adopts the recommendation of the Director of Engineering Services.
3. That the Mayor and the City Clerk are hereby authorized to execute, on behalf of the City, a First Amendment with Mr. B's Landscape Maintenance. A copy of the First Amendment is attached as Exhibit "1" and is incorporated by this reference.



CITY OF ESCONDIDO
FIRST AMENDMENT TO PUBLIC SERVICE AGREEMENT

This "Amendment" is made this _____ day of _____, 2010.

Between: CITY OF ESCONDIDO
 a municipal corporation
 201 N. Broadway
 Escondido, California 92025
 ("CITY")

And: Mr. B's Landscape Maintenance
 27005 Goetz Road
 Sun City, CA 92585
 Attn: Michael Bloxton
 951-453-7300
 ("CONTRACTOR")

Witness that whereas:

- A. CITY and CONTRACTOR entered into an agreement on July 17, 2008 ("Agreement"), wherein CITY retained CONTRACTOR to provide landscape maintenance services for the City of Escondido Landscape Maintenance District for an amount not to exceed \$18,359 per month; and
- B. CITY and CONTRACTOR desire to amend the Agreement to include additional work, which is defined in "Attachment A" to this Amendment, which is incorporated by reference, and to extend the term of the agreement to June 30, 2011;

NOW THEREFORE, it is mutually agreed by and between CITY and CONTRACTOR as follows:

- 1. The CONTRACTOR will furnish the services described in "Attachment A" to this Amendment.

2. CITY will compensate the CONTRACTOR in an additional amount not to exceed \$45 per month, pursuant to the conditions and compensation terms contained in "Attachment A" to this Amendment.
3. The term of the agreement will be extended to June 30, 2011.
4. All other terms of the original Agreement between CITY and CONTRACTOR shall remain in full force and effect; in the event of any conflict between any specific provision of the original Agreement and this Amendment, this Amendment shall prevail.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first above written.

CITY OF ESCONDIDO

Date: _____

Lori Holt Pfeiler
Mayor

Date: _____

Marsha Whalen
City Clerk

Mr. B's Landscape Maintenance

Date: _____

(Contractor Signature)

Title

“Attachment A” (1 of 2)

City of Escondido
Landscape Maintenance District

Landscape Maintenance Services

First Amendment to the Public Services Agreement for Landscape Maintenance Services with Mr. B's Landscape Maintenance includes the following:

1. Adds 2,722 SF of landscaped area in Zone 8 of the Landscape Maintenance District to the maintenance responsibilities of the original Agreement at the additional fee of \$45 per month. Total monthly maintenance fee for all areas, including Zone 8, is increased from \$18,359 to \$18,404.
2. The term of the Agreement is extended to June 30, 2011.

JUSTIN WAY

"Attachment A" (2 of 2)

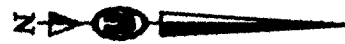
Resolution No. 2010-88
EXHIBIT 1
Page 4 of 4

EI Norte Parkway

2,722 SF
LANDSCAPE
EASEMENT

LMD Zone 8

Area to be Maintained



CITY OF ESCONDIDO

ESCONDIDO TRACT # 789

LANDSCAPE / LIGHTING & MAINTENCE
DISTRICT ANNEXATION BOUNDARY

SCALE
1"=100'

ESC TR. 587

ESC TR. 673

ESC TR. 626

IONA CT.

IONA CT.

GEISE CT.

KAILE LN.

