

REPORT OF GENERAL MANAGER

APPROVED
JUN 04 2008

NO. 08-153

DATE June 4, 2008

C.D. Various

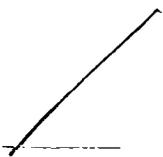
**BOARD OF RECREATION
and PARK COMMISSIONERS**

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: BRUSH CLEARANCE MASTER AGREEMENTS WITH TEN NEW CONTRACTORS AND AMENDMENTS TO SUPPLEMENTAL AGREEMENTS WITH NINE CURRENT CONTRACTORS

*K Regan 	F Mok _____
V Israel _____	S Huntley _____
R Adams _____	H Fujita _____
M Shull _____	J Kolb _____


General Manager

Approved 

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve the proposed master Amendment to Supplemental Agreement to nine current Brush Clearance Contracts executed on June 9, 2006, substantially in the form on file in the Board Office, and to include additional language that specifies the requirements for sub-contracting, and increases the hourly labor rate and the liquidated damages amount, subject to approval of the Mayor and City Attorney as to form;
2. Approve the proposed master Agreement for an additional ten new, pre-approved brush clearance contractors, substantially in the form on file in the Board Office, subject to the approval of the Mayor and City Attorney as to form;
3. Find that in accordance with Charter Section 1022, the Department does not have personnel available in its employ with the necessary expertise to perform these services in a timely manner and that it is more feasible and economical, as well as being in the Department's best interest, to secure these services by contract;
4. Direct the Board Secretary to transmit forthwith the proposed master Amendment to Supplemental Agreement and the master Agreement to the Mayor in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review and approval as to form; and,
5. Authorize the General Manager to execute the Amendment to Supplemental Agreement with

REPORT OF GENERAL MANAGER

PG. 2

NO. 08-153

each of the nine current brush clearance contractors and the Agreement with each of the ten new brush clearance contractors, upon receipt of the necessary approvals.

SUMMARY:

The Department of Recreation and Parks (Department) has the responsibility for brush clearance for all Department properties where the threat of catastrophic property loss or physical injury due to brush or wildfires may occur at any time. The Los Angeles Municipal Code (LAMC) Section 57.21.07 states that the Department has the responsibility to abate certain hazardous public nuisances that include, but are not be limited to, brush clearance, weed and/or refuse abatement and tree trimming or removal, within 200 feet of private residences and 10 feet from roadways. In order to comply with the LAMC in a timely fashion, the Department requires the services of qualified brush clearance contractors, each of whom must execute an agreement with the Department.

Each year, the Department opens bidding for brush clearance service on approximately 225 parcels of Department-owned property of varying sizes. A pre-qualified group of brush clearance contractors competes for the work by bidding on packages of parcels. These contractors have received training and certification from the Los Angeles City Fire Department's (LAFD) Brush Clearance Unit, and were selected through its Request for Qualifications process. Contractors must attend mandatory orientation sessions presented by the Department and LAFD that outline the City and Department's brush clearance policies and compliance needs. They must comply with the City's Standard Provisions for Contracts and the Department's brush clearance policies. The majority of the contractors have expert staff who perform the more hazardous projects. Tree trimming above 15 feet requires the contractor to hold a C-61 or D-49 license from the California State Contractors Board. Throughout the year, Department staff clears brush in non-hazardous conditions where special expertise and equipment are not required.

On April 6, 2006 (Board Report No. 06-86), the Board approved a master contract for brush clearance contractors which included an option to renew at the discretion of the City for up to two additional years. On June 9, 2006, agreements were entered into with ten pre-approved contractors. Supplemental Agreements with nine of the ten were entered into on June 9, 2007, to extend the term for two additional years and to add a requirement for safety equipment.

For the 2008 season, LAFD has added requirements for sub-contracting and has increased the hourly labor rate and the liquidated damages amount. The proposed Amendment to Supplemental Agreement includes a provision for the Department to reflect these changes.

In addition, the LAFD approved an additional ten contractors to participate in the brush clearance bid process through its Request for Qualifications process. With the approval of the master Agreement, the additional ten contractors will be included in the weekly brush clearance bid process, giving the Department additional needed resources to comply with the LAMC in a

REPORT OF GENERAL MANAGER

PG. 3

NO. 08-153

timely manner.

The Department will compile several bid packages consisting of 30 to 50 hours of brush clearance each. The packages may include multiple parcels to be abated. Work will be awarded to the lowest responsive bidder from the approved list. When the bid package is awarded, the contractor becomes responsible, pursuant to the terms of the agreement, for completing the work within 13 calendar days. Time is of the essence in the performance of work with each bid package. Contractors who fail to meet the deadlines will be assessed liquidated damages in the amount of a minimum \$200 per day for packages up to \$2,000 or 10% for those over \$2,000. The hourly labor rate is increased from \$100 per day to \$150 per day for a five-person crew.

FISCAL IMPACT STATEMENT:

In the Fiscal Year 2007-08 budget, \$1,477,200 (Brush Clearance Account 3040) was provided to fund brush clearance contracts and expenditure of those funds will not have an additional impact on the Department's General Fund. The Department has a balance of approximately \$704,313 to initiate the brush clearing season prior to July 2008, when the new budget for Fiscal Year 2008-09 becomes available. The Department anticipates the Fiscal Year 2008-09 budget will allocate \$1,507,500 for brush clearance. It is estimated that \$1,450,000 will be spent during the 2008 summer season, with the remaining funds to be used next spring for the 2009 fire season.

This report was prepared by Sophia Piña-Cortez, Superintendent, West Region.

ATTACHMENT A

DEPARTMENT OF RECREATION AND PARKS
FISCAL YEAR 2008-09 BRUSH CLEARANCE CONTRACTORS

1. Archer Landscape Services*
2. Avalon Landscape, Inc.
3. BC Tree Service*
4. Brian Walsh Brush Clearance
5. Four Seasons Landscape*
6. Green Leaf Tree, Inc.*
7. IEC (International Environmental Corporation)
8. JN Landscaping & Maintenance Inc.*
9. Pan American Brush Clearance, Inc.
10. Pepo Weed Abatement, Inc.
11. Public Health Enterprise, Inc.*
12. Ray Byers & Company
13. Sierra Landscape Development*
14. Silent Fire, Inc.
15. Thrifty Tree Service, Inc.*
16. Town & Country Tree Service*
17. Tree Elements, Inc.*
18. Van Gogh Landscaping, LLC
19. Waste Unlimited

*New for Fiscal Year 2008-09