

APPROVED
MAR 19 2008

REPORT OF GENERAL MANAGER

NO. 08-72

DATE March 19, 2008

C.D. ALL

**BOARD OF RECREATION
and PARK COMMISSIONERS**

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SUBJECT: FORESTRY – AMENDMENTS TO SUPPLEMENTAL AGREEMENTS TO CONTRACT NO. 3172 WITH TRUGREEN LANDCARE AND TO CONTRACT NO. 3173 WITH WEST COAST ARBORISTS, INC., INCREASING THE AMOUNT OF THE CONTRACTS

*K. Regan _____
H. Fujita _____
S. Huntley _____
R. Adams _____



J. Kolb _____
F. Mok _____
V. Israel _____
M. Shull _____



General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

1. Approve the proposed Amendment to the Supplemental Agreement to Contract No. 3172, substantially in the form on file in the Board Office, between the City of Los Angeles and TruGreen LandCare, for emergency parkland tree trimming and removal services to increase the total amount of the contract from \$650,000 to \$725,000, subject to approval of the Mayor and the City Attorney as to form;
2. Approve the proposed Amendment the Supplemental Agreement to Contract No. 3173, substantially in the form on file in the Board Office, between the City of Los Angeles and West Coast Arborists, Inc., for emergency parkland tree trimming and removal services to increase the total amount of the contract from \$375,000 to \$450,000, subject to approval of the Mayor and the City Attorney as to form;
3. Find pursuant to Charter Section 1022, that the Department does not have personnel available in its employ to address emergency tree trimming needs in a timely manner and that these services can be performed more feasibly by a qualified independent contractor than by a City employee;
4. Direct the Board Secretary to transmit the proposed Amendments to the Mayor in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review as to form; and,
5. Authorize the Board President and Secretary to execute the Amendments upon receipt of the necessary approvals.

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SUMMARY:

Every year the Department requires additional tree trimming personnel on a temporary, emergency basis to assist with timely tree trimming and removing unstable park trees for safety purposes. The current contracts for this work were originally approved by the Board (Board Report No. 05-233) on September 14, 2005. Amendments to the two contracts were approved by the Board (Board Report No. 06-287) on October 4, 2006, which extended both the contracts' expiration dates and spending ceilings. However, due to the time required to receive all necessary approvals, the contracts expired before the Amendments could be executed, so Supplemental Agreements to accomplish the same purposes were executed instead.

A necessary but unanticipated expenditure of the existing Forestry funds has diminished contract accessibility. Increasing the spending ceilings for the two contracts will enable the Forestry Division to complete already budgeted projects.

The Department is satisfied with the performance of TruGreen LandCare and West Coast Arborists, Inc., to date. Both contracts will expire on November 15, 2008. Due to the continuing need for tree trimming and tree removal for public safety Department-wide, and because of the unanticipated expenditure of contract funds, staff recommends increasing the amount of each contract as follows:

<u>Contract No./Company</u>	<u>Current Contract Amount</u>	<u>Amended Amount</u>
No. 3172/TruGreen LandCare	\$650,000	\$725,000
No. 3173/WestCoast Arborist, Inc.	\$375,000	\$450,000

Charter Section 1022 Determination

Los Angeles City Charter Section 1022 prohibits contracting out work that could be done by City employees unless the Board determines it is more economical and/or feasible to contract out the service.

On January 8, 2008, the Personnel Department completed a Charter Section 1022 review and determined that the City classification of Tree Surgeon, Tree Surgeon Assistant, and Tree Surgeon Supervisor can perform the necessary services. However, the Personnel Department stated that while the Department has the resources to provide tree trimming services with the appropriate certification, they do not have the appropriate staff to provide these services to all of the City's 398 parks on an emergency as-needed basis. The Personnel Department also stated that the Department of Water and Power and the Department of Public Works, Bureau of Street Services, have the classifications to perform the services. On January 17, 2008 and January 22, 2008, a request was sent to both departments to determine if services could be provided. Both departments were unable to comply with the request.

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Due to the emergency nature of the services and the ability of the contractors to provide experienced staff on an as-needed basis, it is more feasible to contract out this service.

FISCAL IMPACT STATEMENT:

Funding will be provided by various Department funds, depending on the facility requesting services. There is no impact to the Department's General Fund, beyond the annual budgeted amount of \$208,994 for Fiscal Year 2007-08.

This report was prepared by Louis Loomis, Management Analyst II, Valley Region.