



REPORT OF GENERAL MANAGER

NO. 15-078

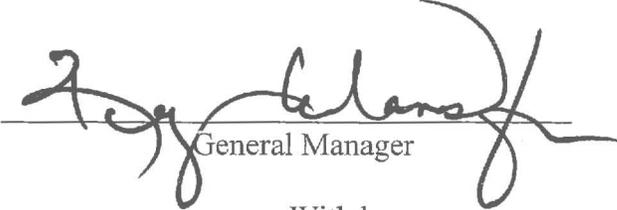
DATE April 15, 2015

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: MASTER AGREEMENT FOR BRUSH CLEARANCE, WEED, REFUSE ABATEMENT, TREE TRIMMING AND REMOVAL CONTRACTORS

R. Adams	<u> </u>	V. Israel	<u> </u>
*R. Barajas	<u>CSDf</u>	K. Regan	<u> </u>
H. Fujita	<u> </u>	N. Williams	<u> </u>



 General Manager

Approved

Disapproved

Withdrawn

RECOMMENDATIONS:

That the Board:

1. Approve a Master Agreement for Contractors to clear brush, abate refuse, trim and/or remove trees, to be entered into with the list Brush Clearance Contractors (Attachment A) of pre-approved contractors, substantially in the form on file in the Board Office, subject to the approval of the City Attorney;
2. Find as the contract awarding authority that, in accordance with Charter Section 1022, the Department of Recreation and Parks (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 economical or feasible, as well as in the Department's best interest, to secure several personal service contacts to provide these services on an as needed basis;
3. Find as the contract awarding authority, in accordance with Charter Section 371(e)(2) and Los Angeles Administrative Code Section 10.15(a)(2), that the services to be provided by each of the Contractors are professional, expert, technical and special services of a temporary and occasional character for which competitive bidding is not practicable or advantageous;

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4. Find as the contract awarding authority, in accordance with Charter Section 371(e)(10) and Los Angeles Administrative Code Section 10.15(a)(10), that competitive bidding would be undesirable, impracticable or impossible because several personal services contracts are required to provide the contracted services on an as needed basis;
5. Direct the Board Secretary to transmit the proposed Master Agreement to the Mayor in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review as to form; and,
6. Authorize the General Manager to execute agreements for a one (1) year term with provisions to extend the term for two (2) additional years, exercisable in one (1) year increments with each approved Contractors upon receipt of all necessary approvals.

SUMMARY:

The Department owns, possesses, manages and controls park property for the City of Los Angeles. As such, the Department has a mandatory duty to remove “any hazardous refuse or hazardous weeds, trees or other vegetation which by reason of proximity to a building or structure, constitutes a fire hazard.” (Los Angeles Municipal Code (L.A.M.C.) Section (SEC.) 57.322.1). The phrase “hazardous weeds, trees, or other vegetation” is defined in the City’s Fire Protection and Prevention (Fire Code) as “weeds, trees or other vegetation which are in such condition and location as to provide a ready fuel supply to augment the spread or intensity of a fire.” (L.A.M.C. Sec. 57.322.1 – General Brush Clearance). The applicable Fire Code regulations that pertain to brush clearance are found in L.A.M.C. Sections 57.322.1 through 57.322.1.1.9. These regulations require the Department to abate certain hazardous public nuisances including, but not limited to, brush clearance of weeds, trees and other vegetation. In order to comply with the Municipal Code in a timely fashion, the Department requires the services of pre-qualified brush clearance contractors, each of whom must execute an agreement with the Department.

Each year, Department puts out to bid brush clearance service packages for approximately two hundred ninety-five (295) parcels of varying sizes. A pre-qualified group of brush clearance contractors is contracted to provide the work. The group of contractors has received training and certification through the Los Angeles City Fire Department’s (LAFD) Brush Clearance Unit, and was selected through a Request for Qualification process. Contractors must attend mandatory orientation sessions presented by Department and the LAFD outlining the City and Department’s Brush Clearance policies and compliance needs. All Contractors 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 to perform the more hazardous projects. Upon contract execution, contractors must possess a C-27 license from the Contractors State License Board (CSLB) if he or she is interested in clearing brush. A CSLB C-61 license with a D-49

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designation is required if he or she is interested in trimming trees above fifteen (15) feet. The list of pre-approved Brush Clearance Contractors is shown on Attachment A.

The Department will compile a number of bid packages for the work required, usually consisting of thirty (30) to fifty (50) hours or more of brush clearance, weed, refuse abatement, tree trimming and removal usual for a typical five (5) person crew. The packages may include multiple parcels to be abated. Work will be awarded to the lowest responsive bidder on the approved list. When the bid package is awarded, the contractor becomes responsible, pursuant to the terms of the master agreement, for completing the work within thirteen (13) calendar days. Since time is of the essence for this work, contractors who fail to meet the deadlines will be assessed liquidated damages in the amount of \$200.00 per day for any package awarded up to \$2,000.00 or a rate of ten-percent (10%) of the awarded amount per day for any packages over \$2,000.00. The contract will be for a one (1) year term with provisions to extend the term for two (2) additional years, exercisable in one (1) year increments, with the same terms and conditions provided that funds are available, at the sole discretion of the Board.

In the 2013-14 Fiscal Year (FY), \$1,485,200.00 (Brush Clearance Account 3040) was provided to fund these contracts. The Department has a balance of approximately \$637,990.00 to initiate the brush clearing season prior to July 2015 when the new budget for 2015-16 FY becomes available. The Department anticipates the 2015-16 FY budget will allocate \$1,485,200.00 for brush clearance. It is estimated that \$1,127,990.00 will be spent during the 2015 summer season, and the remainder to be used next spring for the 2016 fire season.

FISCAL IMPACT STATEMENT:

The Department anticipates the 2015-16 budget will allocate \$1,485,200 for brush clearance in Contractual Services Account 3040. That amount plus the current balance of \$637,990.00 will be sufficient to meet the RAP's required clearance responsibilities for the 2015-16 seasons.

Prepared by Luisa Tovar, Clerk Typist, Grants Administration and Stefanie Smith, Senior Park Maintenance Supervisor.

DEPARTMENT OF RECREATION AND PARKS
FISCAL YEAR 2015-2016
BRUSH CLEARANCE CONTRACTORS

1. AVALON LANDSCAPE, INC. – **LUIS CADIZ**
2. BRIAN WALSH BRUSH CLEARANCE – **BRIAN WALSH**
3. CALIFORNIA CUT & CLEAR INC. – **SHENA SETTLE**
4. EQUERY, INC. DBA: ECCONO TREE CARE- **ORI ZAIRI**
5. INTERNATIONAL ENVIRONMENTAL CORPORATION- **JAN CESPEDES**
6. OUTLOOK ZONE, INC. – **YOSEF SHALEV**
7. PAN AMERICAN BRUSH CLEARANCE, INC.- **EDDIE MARTINEZ**
8. PEPO WEED ABATEMENT, INC. – **MIKE PEPO**
9. SILENT FIRE, INC. DBA: MONET WILD FLOWERS- **COURTNEY KITE**
10. THE JUNGLE NURSERY AND LANDSCAPE – **JOHN WN COHN**
11. THE ORIGINAL MOWBRAY'S TREE SERVICE – **ROBIN MOWBRAY**
12. THRIFTY TREE SERVICE, INC. – **DAVE AVIRAM**
13. WASTE UNLIMITED, INC. – **SHANE FONE**