

RESOLUTION NO. 2018-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND APPROVING AN EXTENSION TO THE LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND TERRACARE ASSOCIATES, LLC FOR OPEN SPACE DISTRICT 20 ZONES 2, 3, 4, 5 AND 6 IN THE AMOUNT OF \$568,111; OPEN SPACE DISTRICTS 14, 15, AND 24 IN THE AMOUNT OF \$185,309; AND MCMILLIN OTAY RANCH VILLAGE 6 - CFD 08M AREA 1, AND OTAY RANCH VILLAGE 6 - CFD 08M AREA 2 IN THE AMOUNT OF \$385,901

WHEREAS the City is in the process of streamlining its contract management processes for Open Space maintenance contracts; and

WHEREAS the Public Works Department proposes to extend from July 1, 2018 through June 30, 2019 multiple Open Space landscape maintenance contracts which are due to expire on June 30, 2018 to assist in streamlining the City's contract management processes; and

WHEREAS these extensions will align the bid and expiration dates of two batches of Open Space contracts thereby better utilizing the City's resources and reducing contract management redundancies; and

WHEREAS the City entered into a contract (Contract) with Blue Skies Landscape Maintenance, Inc. which was acquired on July 1, 2017 by Terracare Associates, LLC to provide landscape maintenance services for the following Open Space Districts and Community Facilities Districts (combined "the Districts"): D14, D15, D20 Zone 2, D20 Zone 3, D20 Zone 4, D20 Zone 5, D20 Zone 6, D24, Village 6 McMillin, and Village 6 OR; and

WHEREAS the term of the Contract was from October 1, 2014 to June 30, 2015 with the option to extend the contract for three (3) one-year periods effective July 1, 2015; and

WHEREAS the Contract was extended for three one-year periods – from July 1, 2015 to June 30, 2016, from July 1, 2016 to June 30, 2017, and from July 1, 2017 to June 30, 2018 respectively; and

WHEREAS the Contract cost was \$1,077,126 for Fiscal Year 2014/2015. With the application of yearly San Diego Consumer Price Index for Wage Earners (CPI-W) to the successive option-year renewals, the contract cost increased to \$1,110,847 for Fiscal Year 2017/2018; and

WHEREAS Chula Vista Municipal Code section 2.56.070.B.3 states, "[t]he City Council may waive the competitive bidding requirements if determined by resolution of the City Council that the competitive bidding requirements as applied to that contract are impractical, impossible or that City interests would be materially better served by applying a different purchasing procedure approved by the Purchasing Agent as being consistent with good purchasing practices"; and

WHEREAS Staff recommends that the City Council adopt a finding that the City's interest would be better served by waiving the competitive bidding requirements and approving

the Contract extension as doing so will provide City with the opportunity to establish streamlined contract management procedures which will substantially reduce contract management redundancies and staff time and costs associated therewith; and

WHEREAS the Purchasing Agent has approved the proposed extension of the Contract as consistent with good purchasing practices; and

WHEREAS Staff recommends that the City Council approve the extension of existing open space landscape maintenance contract with Terracare Associates, LLC.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista determines that the City's interest would be materially better served by applying a different purchasing procedure for the extension of the landscape maintenance contract with Terracare Associates, LLC and waives the competitive bidding requirements for the contract extension.

BE IF FURTHER RESOLVED that the City Council of the City of Chula Vista approves the extension the open space landscape maintenance contract with Terracare Associates, LLC, from July 1, 2018 through June 30, 2019, for Open Space District 20 Zones 2, 3, 4, 5 and 6 in the amount of \$568,111; Open Space Districts 14, 15, and 24 in the amount of \$185,309; McMillin Otay Ranch Village 6 - CFD 08m Area 1, And Otay Ranch Village 6 - CFD 08m Area 2 in the amount of \$385,901, for a total contact amount of \$1,139,320.10.

BE IT FURTHER RESOLVED that the City Council of the City of Chula Vista authorizes and directs the Mayor, or designee, to execute the contract extension on behalf of the City, and directs that a copy of the contract extension be kept on file with the City Clerk.

Presented by

Approved as to form by

Richard A. Hopkins
Director of Public Works

Glen R. Googins
City Attorney