



City of San Leandro

Meeting Date: June 1, 2020

Staff Report

File Number: 20-208 **Agenda Section:** CONSENT CALENDAR

Agenda Number: 8.E.

TO: City Council

FROM: Jeff Kay
City Manager

BY: Debbie Pollart
Public Works Director

FINANCE REVIEW: Liz Warmerdam
Interim Finance Director

TITLE: Staff Report for a City of San Leandro City Council Resolution to Authorize the City Manager to Execute Amendment No. 1 to the Non-Professional Services Agreement with Arborist Now, Inc. for Boulevard Yarwood Sycamore Tree Trimming (963 Trees Total) in the amount of \$120,375.00

SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council Authorize the City Manager to execute Amendment No. 1 to the Non-Professional Services Agreement (NPSA) with Arborist Now, Inc. for trimming of identified Boulevard Yarwood Sycamore trees (963 trees total) for a total of \$120,375.

BACKGROUND AND ANALYSIS

On December 3, 2019, the Finance Department issued Bid No. 19-20.007 for Yarwood Sycamore tree trimming along the City's main thoroughfares, otherwise referred to as boulevards. Five firms submitted bids on or before the submittal deadline. Arborist Now, Inc. submitted the lowest bid for a price of \$125.00 per tree, with a total contract amount of \$70,375 to trim 563 trees. The bid price includes all labor, materials, disposal, transportation, and equipment/staffing necessary to perform the work.

The NPSA was written prior to the Alameda County Public Health Officer's Shelter in Place (SIP) Order, which specified that tree maintenance work was not permitted. With the extension of the SIP, the NPSA, which had an end date of April 30, 2020, is now out of contract, necessitating an amendment. In addition, due to a windstorm that occurred in February that did damage to a number of trees not part of the original scope, and with additional budget funds identified, staff would like to increase the scope of work to include more tree maintenance work.

Previous Actions

- In February, the City Council approved Resolution 2020-015 approving an NPSA with Arborist Now, Inc.

Budget Authority

If this Amendment No. 1 to the NPSA is approved by the City Council, staff will execute an amended purchase order for \$120,375.00 for FY2020 in account 010-33-001-5340. This represents a \$50,000 increase over the initial purchase order. There is sufficient budget in the account for this amended contract. No additional appropriations are requested.

ATTACHMENT

Attachment to Related Legislative Files

Attached to Resolution:

- Amendment No. 1 to Non-Professional Services Agreement between the City of San Leandro and Arborist New, Inc. for Boulevard Sycamore Tree Trimming

PREPARED BY: Debbie Pollart, Director, Public Works Department



City of San Leandro

Meeting Date: June 1, 2020

Resolution - Council

File Number: 20-207 **Agenda Section:** CONSENT CALENDAR

Agenda Number:

TO: City Council

FROM: Jeff Kay
City Manager

BY: Debbie Pollart
Public Works Director

FINANCE REVIEW: Liz Warmerdam
Interim Finance Director

TITLE: RESOLUTION of the City of San Leandro City Council Approving Amendment No. 1 to the Non-Professional Services Agreement with Arborist Now, Inc. for Boulevard Yarwood Sycamore Tree Trimming

WHEREAS, an amendment to the existing non-professional services agreement between the City of San Leandro and Arborist Now, Inc., a copy of which is attached, was presented to this City Council; and

WHEREAS, the City Council is familiar with the contents thereof; and

WHEREAS, the City Manager recommends approval of said agreement.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

That said amendment to the existing non-professional services agreement is hereby approved and execution by the City Manager is hereby authorized.

**AMENDMENT NO. 1 TO NON-PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF SAN LEANDRO AND
ARBORIST NOW, INC.
FOR
BOULEVARD YARWOOD SYCAMORE TREE TRIMMING**

This **Amendment No. 1** ("Amendment") is made by and between the City of San Leandro ("City") and Arborist Now, Inc. ("Contractor") (together sometimes referred to as the "Parties") as of June 1, 2020, and amends that certain Non-Professional Services Agreement ("Agreement") dated February 3, 2020, between the Parties.

WHEREAS, City and Contractor have executed the Agreement, pursuant to which Contractor has provided certain services to City with regard to trimming of boulevard Yarwood sycamore trees; and

WHEREAS, the Parties desire to amend the Agreement to extend the end term date (due to impacts from COVID-19 work restrictions), and to also include trimming of additional trees.

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Agreement as follows:

1. Section 1.1 of the Agreement entitled "Term of Services" is hereby amended to extend the term from April 30, 2020, to September 30, 2020; and

2. Section 2 of the Agreement entitled "Compensation" is hereby amended to pay Contractor a sum not to exceed \$120,375; and

3. Exhibit A of the Agreement entitled "Scope of Services" is hereby amended to read:

6. WORKDAYS: All trimming is to be completed within one hundred and twenty (120) calendar days from award of contract. This is inclusive of all weather conditions that may occur during the 120 days.

Contractor to trim up to an additional 400 trees as follows: 300 trees on E. 14th Street; 25 trees on MacArthur Blvd.; 20 trees on Bancroft Avenue; 20 trees on Marina Blvd.; and 35 trees on Davis Street. Exact trees to be identified by City for Contractor prior to start of work.

4. Exhibit B of the Agreement entitled "Compensation Schedule & Reimbursable Expenses" is hereby amended to read:

\$125 per tree price; \$120,375 Grand Total

5. All other terms shall remain in full force and effect.

This Amendment may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

The Parties have executed this Amendment as of the date first written above. The persons whose signatures appear below certify that they are authorized to sign on behalf of the respective Party.

CITY OF SAN LEANDRO

Arborist Now, Inc.

Jeff Kay, City Manager

Jean Claude Rochat, President

Attest:

Leticia I. Miguel, City Clerk

Approved as to Fiscal Authority:

Liz Warmerdam, Interim Finance Director and Asst. City Manager

010-33-001-5340

Account Number

Approved as to Form:

Richard D. Pio Roda, City Attorney