



# City of San Leandro

Meeting Date: July 6, 2020

## Staff Report

---

**File Number:** 20-274

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.L.

**TO:** City Council

**FROM:** Jeff Kay  
City Manager

**BY:** Debbie Pollart  
Public Works Director

**FINANCE REVIEW:** Liz Warmerdam

**TITLE:** Staff Report for a City of San Leandro City Council Resolution Authorizing the City Manager to Execute Amendment No. 4 to a Non-Professional Services Agreement with Rubicon Landscape Corporation for Citywide Turf Maintenance for \$172,504.56 for Fiscal Year 2020-2021 and Approving an Appropriation of \$21,960 from the General Fund Undesignated Fund Balance Reserves to Account 010-62-001-5340

---

### SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council authorize the City Manager to execute Amendment No. 4 to a Non-Professional Services Agreement with Rubicon Landscape Corporation to provide monthly turf maintenance services at City parks and sports fields, and to appropriate \$21,960 from the General Fund undesignated fund balance reserves to account 010-62-001-5340.

### BACKGROUND

On August 31, 2015, the Public Works Department issued Request for Proposals (RFP) 55027 for citywide turf maintenance and park area weed abatement. Five firms submitted proposals deemed responsive to the RFP. After review by a committee of internal staff, the five proposals were ranked and Rubicon Enterprises, Inc. (firm changed name to Rubicon Landscape Corporation as part of Amendment No. 2), a Richmond, CA-based firm, was selected based on the firm's highest score and lowest bid price. The City entered into contract with Rubicon Enterprises, Inc. on March 1, 2016, which covered the first year of service. Amendment No. 1, approved by the City Council in 2017, allowed for up to three additional 1-year extensions based on the CPI. This Amendment No. 4 represents the last extension allowed under the current NPSA.

### Analysis

If authorized, the existing contract will be extended for a fourth and final time for the 2020-2021 Fiscal Year at the monthly price of \$14,375.38. The new contract price reflects an addition to

monthly services, in the form of the mowing of Marina Park. This work was previously part of American Golf Corporation's (AGC) lease agreement with the City. With the City Council's approval on June 1, 2020 of a new management agreement with AGC, the new agreement did not include having AGC mow the turf at Marina Park. The cost for this added task is \$1,830.00 per month or \$21,960 per year. The new total contract price also includes a 3.31% CPI increase (annual San Francisco Metro Area Consumer Price Index) which reflects the estimated increased cost requirement of the City's Living Wage Ordinance. Services include weekly mowing at all City park sites, ball field sites, and other turf locations adjacent to parks, twice per month edging, twice per year weed abatement and four times per year aeration and fertilization. The contract will extend through June 30, 2021.

### **Previous Actions**

- Resolution 2016-023 Authorizing the City Manager to Execute a Non-Professional Services Agreement with Rubicon Enterprises, Inc. for Citywide Turf Maintenance
- Resolution 2017-117 Authorizing the City Manager to Extend Term for One Year and Allowing for Three Additional 1-Year Extensions

### **Fiscal Impacts**

This General Fund service contract will cost \$172,504.56 annually. The FY 2020-2021 contract cost includes the addition of \$21,960 for the added task of turf maintenance at Marina Park and a 3.31% CPI increase.

### **Budget Authority**

Staff will request a purchase order for \$172,504.56 for FY 2020-2021 for account 010-62-001-5340. An appropriation from the General Fund undesignated fund balance reserves to this operating account in the amount of \$21,960 is required in order to cover the cost of the added service for Marina Park.

### **ATTACHMENT(S)**

#### **Attachment to Related Legislative Files**

Attached to Resolution:

- Amendment No. 4 to Non-Professional Services Agreement between the City of San Leandro and Rubicon Landscape Corporation for Citywide Turf Maintenance

**PREPARED BY:** Jennifer Auletta, Deputy Public Works Director, Public Works Department



# City of San Leandro

Meeting Date: July 6, 2020

## Resolution - Council

---

**File Number:** 20-275 **Agenda Section:** CONSENT CALENDAR

**Agenda Number:**

**TO:** City Council

**FROM:** Jeff Kay  
City Manager

**BY:** Debbie Pollart  
Public Works Director

**FINANCE REVIEW:** Liz Warmerdam

**TITLE:** RESOLUTION of the City of San Leandro City Council Authorizing the City Manager to Execute Amendment No. 4 to a Non-Professional Services Agreement with Rubicon Landscape Corporation for Citywide Turf Maintenance for \$172,504.56 for Fiscal Year 2020-2021 and Approving an Appropriation of \$21,960 from the General Fund Undesignated Fund Balance Reserves to Account 010-62-001-5340

---

WHEREAS, City and Contractor have executed the Agreement, pursuant to which Contractor has provided certain services with regard to turf maintenance; and

WHEREAS, the Parties desire to amend the Agreement to extend the term for one year and increase the service price by 3.31%; 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:

Approval to appropriate \$21,960 from the General Fund Undesignated Fund Balance Reserves to Account 010-62-001-5340; and

That the following contract amendments are approved:

1. Section 1.1 of the Agreement entitled "Term of Services" is hereby amended to extend the term from July 1, 2020 to June 30, 2021; and
2. Section 2 of the Agreement entitled "Compensation" is hereby amended to pay Contractor a sum not to exceed \$14,375.38 per month for a total of \$172,504.56 per

year for Fiscal Year 2020-2021; and

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

Monthly Price: \$1,830.00

Annual Total: \$21,960.00

Area: Marina Park

Special Instructions - Turf Maintenance:

- 1) Weekly mowing, edging and trimming during growing season, as needed November to March;
  - 2) Herbicide treatment of tree wells 3-4 times annually, as needed;
  - 3) Removal of clippings as needed, maximum 3 times annually;
  - 4) Aerate and fertilize turf in accordance with existing specifications for Citywide Turf Maintenance;
  - 5) Excludes maintenance of trees and shrubs; and
  - 6) Excludes irrigation.
4. All other terms shall remain in full force and effect as outlined in Attachment A; and

That said agreement is hereby approved and execution by the City Manager is hereby authorized.

**AMENDMENT NO. 4 TO NON-PROFESSIONAL SERVICES AGREEMENT BETWEEN  
THE CITY OF SAN LEANDRO AND  
RUBICON LANDSCAPE CORPORATION  
FOR  
CITYWIDE TURF MAINTENANCE**

This **Amendment No. 4** (“Amendment”) is made by and between the City of San Leandro (“City”) and Rubicon Landscape Corporation (“Contractor”) (together sometimes referred to as the “Parties”) as of July 1, 2020, and amends that certain Non-Professional Services Agreement (“Agreement”) dated March 1 2016, between the Parties.

**WHEREAS**, City and Contractor have executed the Agreement, pursuant to which Contractor has provided certain services to City with regard to turf maintenance; and

**WHEREAS**, the Parties desire to amend the Agreement to extend the term for one year and increase the service price by 3.31%.

**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 July 1, 2020, to June 30, 2021; and
2. Section 2 of the Agreement entitled “Compensation” is hereby amended to pay Contractor a sum not to exceed \$14,375.38 per month for a total of \$172,504.56 per year for fiscal year 2020-2021; and
3. Exhibit B of the Agreement entitled “Compensation Schedule & Reimbursable Expenses” is hereby amended to include:

Monthly Price	Annual Total	Area	Special Instructions
\$1,830.00	\$21,960.00	Marina Park	Turf Maintenance: 1) Weekly mowing, edging and trimming during growing season, as needed November to March 2) Herbicide treatment of tree wells 3 – 4 times annually, as needed 3) Removal of clippings as needed, maximum 3 times annually 4) Aerate and fertilize turf in accordance with existing specifications for City Wide Turf Maintenance 5) Excludes maintenance of trees and shrubs 6) Excludes irrigation

4. All other terms shall remain in full force and effect as outlined in Attachment A.

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

RUBICON LANDSCAPE CORPORATION

\_\_\_\_\_  
Jeff Kay, City Manager

\_\_\_\_\_  
Lourdes Haro, General Manager

Attest:

1000060936  
\_\_\_\_\_  
Contractor DIR Registration Number

\_\_\_\_\_  
Leticia I. Miguel, City Clerk

Approved as to Fiscal Authority:

\_\_\_\_\_  
Elizabeth Warmerdam, Interim Finance Director

010-62-001-5340  
Account Number

Approved as to Form:

\_\_\_\_\_  
Richard D. Pio Roda, City Attorney

(2018)

ATTACHMENT A

Contract/Amendment	Effective Date	Description
NPSA for Turf Maintenance Services	March 1, 2016	Turf Maintenance services at City Parks as outlined in Exhibit A – Scope of Services. Cost for FY 2016: \$10,934 per month (3 months) Cost for FY2017: \$11,284 per month Expired June,30, 2017 Council Resolution 2016-023
Amendment No. 1	July 1, 2017	Extend Term for one year with a CPI increase of 3% Discontinue services at Pacific Sports Complex Cost for FY2018: \$10,847.30 per month Expired June 30, 2018 Council Resolution 2017-117 - allows for three additional 1-year extensions
Amendment No. 2	July 1, 2018	Extend Term for one year with a CPI increase of 3.2% Name Change to Rubicon Landscape Corporation Cost for FY2019: \$11,194.41 per month Expired June 30, 2019
Amendment No. 3	July 1, 2019	Extend Term for one year with a CPI increase of 3.87% Update Insurance Requirements Add weed abatement services at Marina Park (unpaved path) Add Turf Maintenance at Floresta Park Remove Turf Maintenance at McCartney Park Cost for FY2020: \$12,143.43 per month Expired June 30, 2020
Amendment No. 4	July 1, 2020	Extend Term for one year with a CPI increase of 3.31% Add Turf Maintenance Services at Marina Park Cost for FY2021: \$14,375.37 per month Expires June 30, 2021