



## **CITY COUNCIL AGENDA REPORT**

**MEETING DATE:** 6/6/2023

**DEPARTMENT:** Public Works

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### **SUBJECT:**

**AWARD OF CONTRACT FOR PASSIVE PARK LANDSCAPE AND RESTROOM MAINTENANCE SERVICES**

### **RECOMMENDED ACTION(S):**

1. Award an Agreement for Maintenance Services of \$3,365,770.80 to Nieves Landscaping, Inc., of Santa Ana, California, for Passive Park Landscape and Restroom Maintenance Services.
  2. Authorize the Mayor to sign, and the City Clerk to attest, the award of contract to Nieves Landscaping, Inc., of Santa Ana, California, substantially in the form attached.
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### **EXECUTIVE SUMMARY:**

The current contract with Nieves Landscaping ("Nieves"), for passive park maintenance services, expires on June 30, 2023. Therefore, the City Manager authorized staff to issue a Request for Proposals ("RFP") for passive park and restroom maintenance services. The procurement process is a qualification-based selection process based on a contractor's experience, understanding of the scope of services, proposed personnel, completion of similar project in a timely manner, and their ability to provide optimal services at an acceptable cost. After a competitive process outlined in the City's Purchasing Guidelines, staff identified the most qualified contractor to provide passive park and restroom maintenance services. Staff determined Nieves to be the best qualified and the most cost-effective vendor. Staff recommends the City Council award the attached Agreement for Maintenance Services to Nieves Landscaping, Inc. for passive park and restroom maintenance services ("Agreement") (Attachment 1). The term for this Agreement would be for three years with two one-year options to extend at the discretion of the City Council. The proposed Agreement would begin July 1, 2023. The Agreement includes a compensation amount of \$3,365,770.80. Sufficient funds to cover the costs of the Agreement will be proposed in the 2023-2025 Operating Budget.

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## **BACKGROUND:**

The City has an established program for the maintenance of its 22 passive parks. Passive parks are generally neighborhood or community parks without sports fields. The work performed under the park maintenance contract includes regularly scheduled landscape maintenance, such as weekly turf mowing, managing the City's irrigation system, landscape repairs, hardscape and site amenities repair and replacement, graffiti removal, emergency responses, aerating, dethatching, over-seeding all turf grass, tree management, and providing pest and rodent control.

The proposed Agreement includes several material changes from the current contract established in 2015. It includes a reduction in required maintenance staff, the purchase and installation of wood chips at playgrounds for safety and ADA compliance, park restroom and janitorial services, reduced quantities of tree removals, and the purchase of organic mulch to comply with SB 1383 requirements. The current contract for passive park maintenance services is set to expire on June 30, 2023.

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## **DISCUSSION:**

On January 31, 2023, the City Manager approved the RFP for Passive Park Landscape and Restroom Maintenance Services and authorized staff to solicit proposals on PlanetBids. The City subsequently received proposals from nine firms shown below:

- Brightview Landscape
- Four Seasons
- Greentech
- Landscape West
- Mariposa
- Merchants
- Nieves
- Parkwood
- Real Green

Consistent with the City's Purchasing Guidelines, staff assembled a selection committee approved by the City Manager to review proposals and participate in the interview phase of the selection process. The selection committee was comprised of the following:

- Director of Public Works
- Public Works Maintenance Manager

- Senior Landscape Administrator
- Landscape Administrator
- Assistant to the City Manager

### Technical Review and Interview Process

The review process has three phases: the Technical Review of written proposals, the Qualifications Interview phase, and the cost proposal evaluation. The Purchasing Guidelines require the Selection Committee to review all proposals submitted in response to the RFP. As summarized in Table 1, staff reviewed 9 proposals and seven firms met the technical criteria and were invited to the interview process.

*Table 1: Summary of Technical Review and Qualifications Interview*

| Firm           | Technical Review |    |    |    |    | Sub-<br>Total | Qualifications Interview |     |     |     |     | Sub-<br>Total | Pricing<br>Points<br>x 5 | Total |
|----------------|------------------|----|----|----|----|---------------|--------------------------|-----|-----|-----|-----|---------------|--------------------------|-------|
|                | Rater            |    |    |    |    |               | Rater                    |     |     |     |     |               |                          |       |
|                | 1                | 2  | 3  | 4  | 5  |               | 1                        | 2   | 3   | 4   | 5   |               |                          |       |
| Nieves         | 92               | 80 | 72 | 92 | 76 | 412           | 135                      | 128 | 128 | 136 | 137 | 664           | 200                      | 864   |
| Landscape West | 79               | 79 | 75 | 76 | 71 | 380           | 128                      | 121 | 126 | 128 | 124 | 627           | 185                      | 817   |
| Merchants      | 91               | 75 | 73 | 85 | 77 | 401           | 135                      | 128 | 97  | 114 | 116 | 590           | 200                      | 790   |
| Mariposa       | 75               | 80 | 77 | 78 | 62 | 372           | 128                      | 128 | 112 | 125 | 128 | 621           | 120                      | 741   |
| Brightview     | 88               | 79 | 74 | 74 | 69 | 384           | 124                      | 126 | 102 | 99  | 115 | 566           | 150                      | 716   |
| Real Green     | 72               | 64 | 55 | 51 | 64 | 306           | 124                      | 119 | 99  | 102 | 90  | 534           | 140                      | 674   |
| Parkwood       | 81               | 79 | 70 | 58 | 64 | 352           | 117                      | 117 | 108 | 66  | 82  | 490           | 175                      | 665   |
| Greentech      | 61               | 62 | 43 | 47 | 53 | 266           | No Interview             |     |     |     |     | 266           | 0                        | 266   |
| Four Seasons   | 65               | 62 | 58 | 46 | 50 | 281           | No Interview             |     |     |     |     | 281           | 0                        | 281   |

During the qualifications interview, Nieves demonstrated its experience, knowledge, and dedication to the landscape services provided at the City's passive parks. Nieves scored higher than the other firms and was willing to negotiate their original costs to be competitive with the lowest submitted cost proposal. Compared to the other proposers, Nieves was better able to articulate their knowledge of City landscape maintenance services and demonstrate their

passion of providing high quality professional services through their family-owned business.

### Cost Proposals

Compensation scoring is based on the Contractors cost proposal which is made up of a monthly landscape and janitorial rate for each park, annual quantities of wood fiber playground chips, and as-needed irrigation repairs and plant material. At the conclusion of the interview process, all firms had the opportunity to submit a last, best, and final cost proposal. Table 2 below describes the final cost proposal amounts submitted by each firm that qualified to receive an interview.

*Table 2: Original Cost Proposals*

| <b>Firm</b>    | <b>3-Year Cost Proposal</b> |
|----------------|-----------------------------|
| Merchants      | \$3,379,473.00              |
| Nieves         | \$3,411,982.50              |
| Landscape West | \$3,589,701.00              |
| Mariposa       | \$5,670,150.21              |
| Brightview     | \$4,444,938.30              |
| Real Green     | \$4,795,624.20              |
| Parkwood       | \$3,904,419.00              |

After the analysis of the proposals and costs, staff determined that Nieves was the most qualified proposer for passive park landscape maintenance services. Nieves originally had the second lowest cost proposal; however, after negotiations, Nieves lowered their cost for services to \$3,365,770.80 which is the lowest cost proposal received. The annual compensation amount for the proposed Agreement with Nieves is \$1,121,923.60. This annual compensation amount represents a contract cost that is \$106,815.66 higher than the current agreement. This represents an approximate 11% increase from the current agreement which was entered into in 2015 and received one rate increase based upon the 12-month Consumer Price Index increase in 2020. The key factors associated with the increase are related to overall inflation, labor costs, fuel costs, environmental regulations, and new State mandated battery powered equipment requirements. The costs for the proposed three-year Agreement remain unchanged for the first three years of the agreement and will not be affected by cost-of-living adjustments. Table 3 below describes the final cost and point score demonstrating Nieves as best qualified with the lowest cost proposal for park landscape and restroom maintenance services.

*Table 3: Final Cost Proposals and Point Scores*

| <b>Firm</b>      | <b>Final 3-Year Cost Proposal</b> | <b>Final Point Score</b> |
|------------------|-----------------------------------|--------------------------|
| Nieves Landscape | \$3,365,770.80                    | 864                      |
| Merchants        | \$3,379,473.00                    | 790                      |

In addition to the City of Lake Forest, Nieves is currently providing services for the Cities of Laguna Hills, Mission Viejo, Orange, and Temecula. Nieves currently provides landscape services for the City's passive parks and the medians, parkways, and slopes ("MPS"). The staff of agencies contacted as part of the Nieves reference check stated the quality of the company's work has been very good (Attachment 2).

The Finance Department prepared the proposed Agreement with Nieves, which the City Attorney reviewed and approved as to form. The proposed Agreement would be for the traditional three-year initial term with two one-year extensions based on performance and at the City Council's discretion for a not-to-exceed compensation amount of \$3,365,770.80. Per the City's purchasing guidelines, the City Manager may approve additional work not-to-exceed 10% of the original contract amount.

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#### **FISCAL IMPACT:**

The proposed Maintenance Services Agreement with Nieves includes \$3,365,770.80 in total compensation. The Agreement includes a three-year term ending June 30, 2026, with two optional one-year extensions. Sufficient funds to cover the costs of the Agreement will be proposed in the 2023-2025 Operating Budget.

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#### **ATTACHMENTS:**

1. Agreement for Maintenance Services with Nieves Landscape Inc.
2. Contractor Reference Check

Initiated By: Michael McConaha, Public Works Maintenance Manager  
Submitted By: Thomas E. Wheeler, P.E., Director of Public Works/City Engineer  
Approved By: Debra Rose, City Manager