



STAFF REPORT

CITY of YORBA LINDA

PUBLIC WORKS DEPARTMENT

DATE: JANUARY 17, 2023

TO: HONORABLE MAYOR AND MEMBERS OF THE COUNCIL

**FROM: JAMIE LAI, P.E. DIRECTOR OF PUBLIC WORKS/CITY ENGINEER
PREPARED BY: JESSE GUTIERREZ, ASSESSMENT DISTRICT
MANAGER**

**SUBJECT: APPROVE AWARD OF A CONTRACT SERVICES AGREEMENT TO
MERCHANTS LANDSCAPE SERVICES, INC., FOR THE VILLAGE
CENTER DRIVE RESTORATION PROJECT (LI231001) WITHIN LMAD
ZONE L-2B AND FIND THAT THE LAKEVIEW AVENUE PARKWAY
PLANTING RESTORATION PROJECT IS CATEGORICALLY EXEMPT
FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA),
CLASS 1, PURSUANT TO CEQA GUIDELINES, SECTION 15301**

RECOMMENDATION

It is recommended that the City Council:

1. Approve the Award of a Contract Services Agreement to Merchants Landscape Services, Inc., in the amount of \$112,775.52 for the Village Center Drive Restoration Project (Zone L-2B); and
2. Authorize the City Manager to approve additional expenditures up to \$16,916.33 (15% of the agreement value) in contract contingencies for potential additional services and unanticipated work that may arise, for a total potential agreement amount not-to-exceed \$129,691.85; and
3. Find that the Village Center Drive Restoration Project is categorically exempt from the California Environmental Quality Act (CEQA), Class 1, pursuant to CEQA Guidelines, Section 15301; and
4. Authorize the City Manager to sign and execute the contract services agreement and potential future amendments to the agreement within the designated contingency amount, on behalf of the City Council.

BACKGROUND

The City's Landscape Maintenance Assessment District (LMAD) division is responsible for the landscape maintenance and improvement of various Local and Arterial Landscape

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Zones throughout the City. In order to effectively maintain vegetation integrity and aesthetic standards, planting and associated improvement projects are undertaken and overseen by the LMAD group for all Zones. One such large scale planting and improvement project is currently being implemented in Local Landscaping Zone L-2B.

The slope along the East side of Village Center Drive between the two Via Marwah streets was cleared while City Staff developed a planting plan to present to the surrounding residents. The planting palette is made up of climate adapted plant material that when established, can historically survive during periods of water restrictions. City staff made sure to incorporate blooming plants for pockets of color, ornamental grasses and shrubs for texture, and trees to fill the vertical space. City staff also will be using this project to modernize the irrigation in this area to deliver water to each plant utilizing drip irrigation.

LMAD staff solicited a proposal for the design and preparation of plans and specifications for the project from design engineering firms on the City's On-Call list. BGB Design Group, was awarded a task order in an amount of \$11,140 for design of the project in October of 2022 under their On-Call agreement. The completed final design plans and specifications for the project were approved in November of 2022.

The project's construction level scope of work covers restoration and improvements to landscape parkway areas along Village Center Drive within LMAD Local Landscape Zone L-2B (Attachment 1 – Vicinity Map). The scope of work for the project includes clearing, fine grading, landscape planting, irrigation system and controller installation, 30-day plant establishment period and 60-day project maintenance. The scope requires the contractor to furnish all labor, services, plant materials, equipment, appurtenances, and incidentals necessary to install and complete the work contemplated per the plans and specifications.

DISCUSSION

Following completion of the final landscaping design and in accordance with the City's Purchasing Policy and State of California's Public Contract Code, LMAD staff advertised the Project via a formal Invitation for Bids. The City Clerk received and opened six (6) responsive bids for this project on December 20, 2022. Merchants Landscape Services, Inc., the apparent low bidder submitted a bid proposal in the amount of \$112,775.52. A summary of the bids is outlined in the below table:

<u>Bidder</u>	<u>Bid Amount</u>
Merchants Landscape Svcs., Inc.	\$112,775.52
Marina Landscape, Inc.	\$141,692.36
Nieves Landscape, Inc.	\$143,310.41

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Kasa Construction, Inc.	\$143,656.00
Stay Green, Inc.	\$187,759.88
Green Giant Landscape, Inc.	\$190,220.00

The award of the Agreement is Categorically Exempt from the California Environmental Quality Act (CEQA) based upon a Class 1 exemption (Cal. Code Regs., Title 14, Section 15301). The Class 1 exemption consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The Project consists of repair, maintenance and minor alterations to existing facilities involving negligible expansion of existing use and therefore qualifies as a Class 1 exemption.

FISCAL IMPACT

The contract costs for this project will be allocated entirely to the Zone Budget for Local Landscape Zone L-2B. Sufficient reserve funding for the proposed contract award and associated project costs are budgeted in the LMAD Capital Improvement Program budget (LI231001) for Fiscal Year 2022/2023. The requisite funding is programmed in account 4010050-461640, therefore no appropriation is required as a result of the recommended action.

ALTERNATIVES

The City Council may choose to not award the proposed Agreement for the Village Center Drive Restoration Project and reject all bids. Staff does not recommend this alternative as it would delay the completion of the needed landscaping improvements. The bid received from Merchant Landscape Services, Inc., is competitive and there is no guarantee that re-advertising the project will result in lower bids.

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – Merchants Landscape Services, Inc. (Agreement)
