



# City of La Quinta

**CITY / SA / HA / FA MEETING DATE:** June 16, 2015

**AGENDA CATEGORY:**

**ITEM TITLE:** APPROVE AMENDMENT AND CONTRACT CHANGE ORDER WITH KIRKPATRICK LANDSCAPING SERVICES, INC. FOR CITYWIDE LANDSCAPE MAINTENANCE

**BUSINESS SESSION:**

**CONSENT CALENDAR:** 8

**STUDY SESSION:**

**PUBLIC HEARING:**

---

## **RECOMMENDED ACTION:**

Approve Amendment No. 2 to the contract with Kirkpatrick Landscape Services, Inc., to continue City-wide landscape maintenance service for one additional year (July 1, 2015 through June 30, 2016); approve Contract Change Order No. 5; and authorize the City Manager to execute both, subject to minor revisions by the City Attorney.

## **EXECUTIVE SUMMARY:**

- The City-wide landscape contract provides landscape maintenance for all public medians, parkways and retention areas in order to provide safe and aesthetically pleasing streetscapes throughout the City.
- The City has a contract with Kirkpatrick Landscaping Services, Inc. ("Kirkpatrick") for the maintenance work in the amount of \$417,391.78, which will expire on June 30, 2015.
- Amendment No. 2 (Attachment 1) will extend the contract for one year.
- Contract Change Order No. 5 (Attachment 2) will increase the contract amount by \$41,141.19 in order to provide for additional landscape areas that will be added to the contract and increased labor costs for prevailing wages and the State's minimum wage increase.

## **FISCAL IMPACT:**

The proposed increase to the \$417,391.78 contract is \$41,141.19. The total amount would be \$458,532.97, which is budgeted in the Landscape and Lighting Contract Maintenance Account of the 2015/2016 Operating Budget.

## **BACKGROUND/ANALYSIS:**

The Citywide landscape maintenance program provides for daily, weekly and monthly maintenance of all landscaped areas located within the City's right-of-way. The program provides landscape maintenance for all public medians, parkways and retention areas in order to provide safe and aesthetically pleasing streetscape throughout the City.

On June 4, 2013, the City Council awarded a contract to Kirkpatrick in the amount of \$419,925.38, for the Citywide Landscape Maintenance, Project No. LMC 2012-11. The contract primarily serves the City-wide Lighting and Landscape Assessment District No. 89-1.

Kirkpatrick is requesting that the contract amount be increased by \$41,141.19 in order to account for additional landscape areas on the Fred Waring median that will be added to the contract (totaling \$1,697.67) and additional labor costs for prevailing wages and the State's minimum wage increase schedule for January 2016 (totaling \$39,443.52). The contract allows four, one-year extensions renewable at the beginning of each fiscal year through Fiscal Year 2017/2018 at the City's discretion, if the contractor performs in a satisfactory manner. It may be terminated with a 30-day notice to the contractor.

Staff believes Kirkpatrick has performed satisfactorily and therefore recommends approval of the contract extension and change order.

## **ALTERNATIVES:**

Council may choose not to approve the contract change order and amendment and instead advertise the contract for bids. However, due to the cost of preparing and advertising for bids, substantially lower costs for these services may not be realized; therefore, staff does not recommend the alternative at this time.

Report prepared by: James Lindsey, Maintenance Manager

Report approved for submission by: Timothy R. Jonasson, P.E.

Public Works Director/City Engineer

Attachments:       1. Amendment No. 2  
                          2. Contract Change Order No. 5

**AMENDMENT NO. 2 TO AGREEMENT WITH  
KIRKPATRICK LANDSCAPING SERVICES, INC., FOR PROJECT NO. LMC 2012-11,  
CITYWIDE LANDSCAPE MAINTENANCE SERVICES FOR LANDSCAPE & LIGHTING  
DISTRICT 89-1**

THIS AMENDMENT NO. 2 TO THE AGREEMENT WITH KIRKPATRICK LANDSCAPING SERVICES, INC., FOR PROJECT NO. LMC 2012-11, CITYWIDE LANDSCAPE MAINTENANCE SERVICES FOR LANDSCAPE & LIGHTING DISTRICT 89-1 (“Amendment No. 2”) is made and entered into as of the 1 day of July, **2015** (“Effective Date”), by and between the CITY OF LA QUINTA, (“City”), a California municipal corporation, and **Kirkpatrick Landscaping Services, Inc.** (“Contractor”).

**RECITALS**

A. On or about June 4, 2013 the City and Contractor entered into an Agreement for Project No. LMC 2012-11, Landscape Maintenance Services for Landscape & Lighting District 89-1. The term of this original agreement expires June 30, 2014.

B. Pursuant to Section 2000, 2.0 Terms of the original Agreement, the City and Contractor may extend the term of the agreement upon mutual agreement by both parties.

C. On or about June 3, 2014, the City approved Amendment No.1 to the original agreement, extending the terms for one (1) additional year (first extended term) July 1, 2014 through June 30, 2015.

D. Contractor and City now wish to amend the original Agreement to extend the term for one (1) additional year (second extended term) July 1, 2015 through June 30, 2016.

**AMENDMENT:**

In consideration of the foregoing Recitals and the covenants and promises hereinafter contained, and for good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the parties hereto agree as follows:

**As provided in Section 2000, 2.0 Contract Terms of the existing Agreement, the City and Contractor have agreed to extend the term of the agreement for one (1) additional year, commencing July 1, 2015 through June 30, 2016.**

In all other respects, the original agreement shall remain in effect.

IN WITNESS WHEREOF, the City and Contractor have executed this Amendment No. 2 to the Agreement with Kirkpatrick Landscaping Services, Inc. for Project No. LMC 2012-11 Citywide Landscape Maintenance Services for Landscape & Lighting District 89-1 on the respective dates set forth below.

**CITY OF LA QUINTA** a California municipal corporation

\_\_\_\_\_  
Frank J. Spevacek, City Manager

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Susan Maysels, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
William Ihrke, City Attorney

**CONTRACTOR: Kirkpatrick Landscaping Services, INC.**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Kirkpatrick Landscaping Services, Inc.  
43-752 N. Jackson Street  
Indio, CA. 92201



# City of La Quinta

**CONTRACT:** L.M.C. FY 2014/2015

**PROJECT NO.** 2012-11

**CONTRACTOR:** Kirkpatrick Landscaping Services, Inc.  
43-752 N. Jackson St. P.O. Box 1807  
Indio, CA 92201

**CONTRACT CHANGE ORDER NO. 5**

\*\*\*\*\*

Pursuant to the terms of the original Contract Agreement, you are hereby directed to make the herein described changes or do the following described work not included in the plans and specifications for this Contract. Unless otherwise stated all work shall conform to the terms, general conditions, and special provisions of the original Contract.

\*\*\*\*\*

**DESCRIPTION OF CHANGE:** Addition/deletion of Landscape Maintenance as follows:

Location:	Turf @ \$0.05/SF	Planter @ \$0.1245/SF	Irrigation @ \$0.0206/ SF	Monthly	Annual
Fred Waring Median, Adams to Dune Palms Road.	0 SF = \$0.00	11,700 SF =\$1,456.65	11,700 SF = \$241.02	\$141.47	\$1,697.67
Minimum wage increase mandated by the State of California.				\$1,200.00	\$14,400.00
Prevailing wage increase. (\$417,392 at 6%)				\$2086.96	\$25,043.52
					<b>\$41,141.19</b>

All other requirements of the Landscape Maintenance Contract (LMC) FY 2014/15, Project No. 2012-11 shall apply.

\*\*\*\*\*

Previous Contract Amount Through Change Order No. 4	\$417,391.78
<b>Add This Change Order</b>	<b>\$ 41,141.19</b>
Revised Contract Total	\$ 458,532.97

\*\*\*\*\*

**Submitted By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Approved By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

\*\*\*\*\*

We, the undersigned Contractor, **have given careful consideration to the change proposed and hereby agree**, if this proposal is approved, that we will provide all equipment, furnish all materials, perform all labor, except as may be noted above, and perform all services necessary to complete the above specified work, and hereby accept as full payment the amount shown above, which includes all direct and indirect overhead expenses for any delays.

**Accepted By:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Contractor:** \_\_\_\_\_ **Date:** \_\_\_\_\_

