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OFFICE OF THE CITY CLERK
OAKLAND

2012 MAY 31 AM 11:50

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Osborn K. Solitei
Vitaly B. Troyan, P.E.

SUBJECT: PURCHASING CONTRACT AWARD **DATE:** May 3, 2012

City Administrator
Approval

Date

5/30/12

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the City Council award a contract to Coast Landscape Management, a corporation, for a one-year period in the annual amount not to exceed one hundred seven thousand, eight hundred thirty two dollars (\$107,832.00), beginning July 1, 2012 to June 30, 2013, for the Mandela Parkway landscaping maintenance, in accordance with the terms and conditions of RFQ 1825-02.

Staff further recommends that the City Council reject all bids received in response to a previous Request For Quotation (RFQ) 1825 issued on April 27, 2011 since it was not properly advertised in accordance with Oakland Municipal Code (OMC) 2.04.050, in which a subsequent RFQ was issued and advertised in July, 2011.

OUTCOME

A maintenance contract will be awarded to Coast Landscape Management to provide landscape maintenance for the Mandela Parkway median for the annual amount of \$107,832.00, from July 1, 2012 to June 30, 2013.

BACKGROUND/LEGISLATIVE HISTORY

On April 27, 2011, RFQ 1825, specification 11-988-36, was sent to three prospective bidders. Upon submittal of the bids, it was discovered that the bid had not been properly advertised in the City's official newspaper in accordance with Oakland Municipal Code (OMC) 2.04.050. Staff recommends that all bids received in response to RFQ 1825 be rejected.

On July 18, 2011, RFQ 1825-02, specification 11-988-36-02, was sent to six prospective bidders: two local business enterprises, two small-local business enterprises, and two non-local business enterprises. RFQ 1825-02 was advertised in the City's official newspaper. On August 3, 2011,

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the City received three bids: one local business enterprise, one small-local business enterprise, and one non-local business enterprise. The other three prospective bidders did not respond for a lack of interest in the project. Based on the bids submitted, Coast Landscape Management, a corporation, was deemed the lowest responsible bidder.

RMT Landscaping, the current maintenance provider, filed a bid protest claiming that Section 2 of the RFQ, City Policies and Requirements, subsection 2. Local and Small Local Business Enterprise Program (L/SLBE) should apply. The provision cited part (a) applies to construction and professional service contracts only. This RFQ was for landscape maintenance and is classified as neither a construction nor professional service contract. Therefore, the clause cited is not applicable and cannot be used as grounds for a protest. Based on this finding, the bid protest submitted by RMT Landscaping was denied.

Based on direction from City Council and the City Administrator, the Public Works Agency was charged to incorporate the City's Local and Small Business Enterprise Program (L/SLBE) in to the project. The Public Works Agency was not able to successfully bid this requirement as a professional service contract or construction project. The Finance & Management Agency, Purchasing Section was directed to proceed with the award of the contract. All services on the Mandela Parkway were discontinued on May 4, 2012. Any further delays in this project will result in the Mandela Parkway having overgrown vegetation and an eyesore to the community.

ANALYSIS

Mandela Parkway was constructed after the 1989 Loma Prieta earthquake to replace the elevated Cypress Freeway. The parkway median runs from 8th Street in West Oakland to the Emeryville border. The City assumed full responsibility for the maintenance of the median in August of 2008. The Public Works Agency, Department of Facilities and Environment, is responsible for the Mandela Parkway landscaping maintenance. This contract is required to maintain the Parkway landscaping project that was completed by Caltrans in 2005. The contractor agrees to furnish all supervision, inspection, reporting, tools, equipment, materials, and labor necessary to maintain the landscaping (ground cover, turf, shrubs, trees, and sprinkler system) in a healthy, green, neat and orderly appearance at all times.

The award of this contract will not displace City staff

PUBLIC OUTREACH/INTEREST

Not Applicable.

COORDINATION

Purchasing worked extensively with the Public Works Agency and Contract Compliance Office in the specification development and the bid evaluation process.

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COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT: \$107,832.00
2. COST ELEMENTS OF AGREEMENT/CONTRACT:
Maintenance \$107,832.00

TOTAL AGREEMENT/CONTRACT AMOUNT \$107,832.00
3. SOURCE OF FUNDING: 1.2310.30652.54919:0000000.NB07 \$107,832.00
4. FISCAL IMPACT: Funds will be encumbered by the requesting department as work is performed. The funds are available in the Landscaping and Lighting Assessment District Fund (2310), Landscape Maintenance (30652), and the Miscellaneous Contract Services Account (54919).

SUSTAINABLE OPPORTUNITIES

Economic: This vendor has a valid City of Oakland business tax license. The award of this contract will yield approximately \$1,940.98 in business tax revenues to the City of Oakland.

Environmental: Maintenance will include mowing the turf, edging, trash, debris removal, and vegetation management. All services will be performed compliant with City standards for Environmental Preferable Purchasing Policy (EPP), and Resolution 73968 C.M.S. date December 16, 1997, for adopting integrated pest management policies.

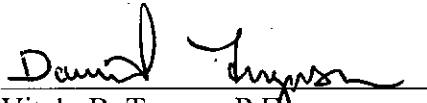
Social Equity: There are no social equity opportunities affiliated with this report.

For questions regarding this report, please contact Jimmie Jackson, Purchasing Supervisor (510) 238-7563.

Respectfully submitted,



Osborn K. Solitei
Controller

For 
Vitaly B. Troyan, P.E.
Director, Public Works Agency

Prepared by:
Jimmie Jackson, Purchasing Supervisor
Controller's Office

Attachment (1): Bid Recap for RFQ 1825-02

RFQ 1825-2 NIGB 988-36-02		Bidder Number 1	Bidder Number 2	Bidder Number 3
Vendor		Ramos Happy Yards Landscaping	RMT Landscaping	Coast Landscape Management
Location		Quote 3093	Quote 3094	Quote 3095
Telephone		Oakland CA	Oakland CA	Napa CA
Small local vendor	?	510.000.0000	510.568.3208	707.310.0022
Oakland vendor	?	n/a	yes	no
		yes	yes	no

line	quantity	unit cost	total	unit cost	total	unit cost	total
1	Item 101 Monthly Maintenance	1	\$10,368.00	\$10,368.00	\$10,725.00	\$10,725.00	\$8,986.00
	SHIPPING						

CALCULATIONS			
SUBTOTAL	\$	10,368.00	\$ 8,986.00
9.75% SALES TAX	\$	-	\$ -
SMALL LOCAL VENDOR	\$	-	\$ -
OAKLAND VENDOR	\$	(259.20)	\$ (268.13)
EVALUATION TOTAL	\$	10,108.80	\$ 8,986.00
GRAND TOTAL	\$	10,368.00	\$ 8,986.00

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OAKLAND

OAKLAND CITY COUNCIL

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Resolution No. _____ C.M.S.

DRAFT
Approves and Affirms and Legality
Oakland City Attorney's Office

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONTRACT TO COAST LANDSCAPE MANAGEMENT, A CORPORATION, FOR THE MAINTENANCE OF THE MANDELA PARKWAY LANDSCAPE IN THE CITY OF OAKLAND FOR AN ANNUAL AMOUNT NOT TO EXCEED ONE HUNDRED SEVEN THOUSAND, EIGHT HUNDRED THIRTY TWO DOLLARS (\$107,832.00), FOR THE PERIOD OF JULY 1, 2012 TO JULY 31, 2013, PER REQUEST FOR QUOTATION 1825-02, SPECIFICATION NO. 11-988-36-02, AND THE GENERAL CONDITIONS THEREFOR ON FILE IN THE PURCHASING SECTION ACCORDING TO ITS BID FILED WITH THE CITY ON AUGUST 3, 2011, AND TO REJECT ALL BIDS RECEIVED IN RESPONSE TO RFQ 1825.

WHEREAS, The bids submitted in response to Request For Quotation (RFQ) 1825 were not properly advertised.

WHEREAS, RFQ 1825-02 for these services were bid on July 18, 2011, and Coast Landscape Management was deemed the lowest responsive, responsible bidder with a bid of one hundred seven thousand, eight hundred thirty two dollars (\$107,832.00), annually; and now, therefore, be it

RESOLVED: That the Council hereby rejects all bids received in response to RFQ 1825, and be it,

FURTHER RESOLVED: That a contract for furnishing the Mandela Parkway landscape maintenance to the City of Oakland in an annual amount not to exceed one hundred seven thousand, eight hundred thirty two dollars (\$107,832.00) from July 1, 2012 to June 30, 2013, in accordance with RFQ 1825-02 and the general conditions therefore on file in the Purchasing Section is hereby awarded to Coast Landscape Management, according to his bid filed with the City on August 3, 2011; and, be it

FURTHER RESOLVED: That the Council hereby authorizes the City Administrator to extend all or part of the contract, one-year at a time, at the same prices, terms and conditions.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2011

PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, KERNIGHAN, NADEL, SCHAAF, DE LA FUENTE, BROOKS, REID, AND
PRESIDENT REID

ABSENT –
ABSTENTION –

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California