

RESOLUTION NUMBER R- 306939

DATE OF FINAL PASSAGE AUG 04 2011

#106
7/26/11

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING A CONTRACT WITH
TREEBEARD LANDSCAPE, INC. TO PROVIDE LANDSCAPE
MAINTENANCE SERVICES IN THE BLACK MOUNTAIN
RANCH SOUTH MAINTENANCE ASSESSMENT DISTRICT.

WHEREAS, the Black Mountain Ranch South Maintenance Assessment District (Black Mountain Ranch South MAD) was formed on March 30, 2004, per Resolution R-299037; and

WHEREAS, each year the City Council authorizes the levying of assessments in each Maintenance Assessment District and did so most recently on July 20, 2010, per Resolution No. R-306029; and

WHEREAS, in August of 2010, the City issued a Request for Bids for the Black Mountain Ranch South MAD Landscape Maintenance (Bid Number 9970-11-Q); and

WHEREAS, City staff analyzed bids received and interviewed the lowest bid firms in accordance with San Diego Municipal Code section 22.3001 *et seq.*

WHEREAS, the City selected Treebeard Landscape, Inc. (Treebeard) as the lowest responsible bidder; and

WHEREAS, the contract with Treebeard will exceed \$1,000,000, and therefore, this contract requires City Council approval in accordance with San Diego Municipal Code section 22.3211(d); and

WHEREAS, the prior Black Mountain Ranch South MAD landscaping contracts expired before Council approval could be obtained for the new contracts, and therefore, in order to continue to provide services, Treebeard was given notice to initiate the provision of services contingent on Council approval; and

WHEREAS, Treebeard began services on February 1, 2011; and

WHEREAS, Council ratification of the contract award is now being requested; NOW,

THEREFORE,

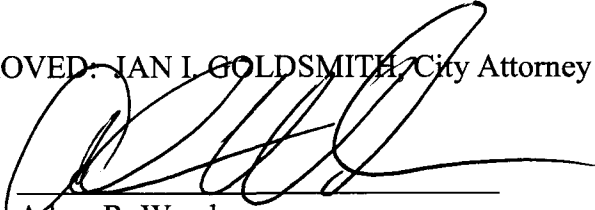
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the Mayor or his designee is authorized to award and execute, for and on behalf of the City, a phase-funded contract with Treebeard Landscape, Inc. (Treebeard) for landscape maintenance services within the Black Mountain Ranch South Maintenance Assessment District (Black Mountain Ranch South MAD), having an initial term of two years.
2. That the Mayor or his designee is authorized to exercise up to three one-year contract extension options with Treebeard, contingent upon adoption of the resolution authorizing the levy of assessments within the Black Mountain Ranch South MAD and the annual budget appropriation ordinance for the applicable fiscal year, and provided that the Chief Financial Officer first furnishes one or more certificates that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.
3. That the Chief Financial Officer is authorized to expend an amount not to exceed \$2,481,239 over five years (\$168,590 in Fiscal Year 2011; \$532,046 in Fiscal Year 2012; \$481,398 in Fiscal Year 2013; \$501,718 in Fiscal Year 2014; \$523,054 in Fiscal Year 2015; and \$274,433 in Fiscal Year 2016) from Fund No. 200083, Black Mountain Ranch South Maintenance Assessment District, for the purpose of funding the above contract, contingent upon adoption of the resolution authorizing the levy of assessments within the Black Mountain Ranch South MAD and the annual budget appropriation ordinance for the applicable fiscal year, and

provided that the Chief Financial Officer first furnishes one or more certificates that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

APPROVED: JAN I. GOLDSMITH, City Attorney

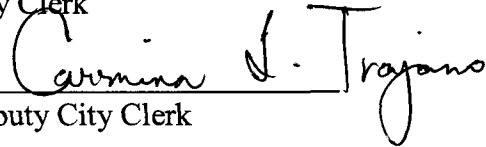
By


Adam R. Wander
Deputy City Attorney

ARW: js
06/30/11
Or.Dept: Park & Rec
R-2012-27
Doc. No. 208122

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 26 2011.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8.4.11
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor