EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO

DATE ISSUED:	February 10, 2010
ATTENTION:	Natural Resources & Culture Committee Agenda of February 24, 2010
ORIGINATING DEPARTMENT:	Public Utilities
SUBJECT:	General Requirements Contract 2009 H – C27 Native Habitat/Landscape Maintenance Contract
COUNCIL DISTRICT(S):	Citywide
STAFF CONTACT:	Mike Elling (858) 292-6477 Bill White (858) 614-5789

REQUESTED ACTION:
Execute Change Order No. 1 to extend the GRC 2009 H - C27 Native Habitat/Landscape Maintenance Contract for one additional year.

STAFF RECOMMENDATION:
Approve the execution of Change Order No. 1 (Attachment #1).

EXECUTIVE SUMMARY:
Per Resolution No. 304276, adopted on October 28, 2008 (Attachment #2), Native Landscape Inc. was awarded the General Requirements Contract (GRC) 2009 H – C27 Native Habitat/Landscape Maintenance Contract on February 17, 2009 with a maximum contract value of $1,000,000 and a maximum contract term of twelve (12) months, with the option to extend the contract for up to an additional one year and an additional $1,000,000 with City Council approval. To date, Public Utilities staff has issued three (3) task orders totaling approximately $122,000 and is currently processing two (2) additional task orders for approximately $95,000.

The GRC 2009 H – C27 Contract expires on February 16, 2010. In order to make further use of this contract, Public Utilities is requesting that the contract be extended by one additional year. Public Utilities is not requesting an increase in contract value which remains at a maximum contract value of $1,000,000. This action will allow accelerated environmental restoration and revegetation projects which have completed design, or restoration projects which require immediate action, to proceed to construction through this contract.

EQUAL OPPORTUNITY CONTRACTING:
This Agreement is subject to the City's Equal Opportunity Contracting (San Diego Ordinance No. 18173, Section 22.2701 through 22.2702) and Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Section 22.3501 through 22.3517).

Funding Agency: City of San Diego -- Prevailing wages would apply to projects using state and federal funding.

Other: Workforce Report submitted -- Equal Opportunity Plan not required.
Staff will monitor adherence to the Non-Discrimination In Contracting Ordinance.

FISCAL CONSIDERATIONS:
The execution of this Change Order requires no additional funding.

PREVIOUS COUNCIL/COMMITTEE ACTION:
City Council previously approved Resolution No. 304276 for the General Requirements Contract 2009 H – C27 Native Habitat/Landscape Maintenance Contract. This action was originally reviewed and approved by the Natural Resources and Culture Committee on September 10, 2008 with the direction that Public Utilities staff return to City Council for approval to exercise the option to extend this contract for a second year.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:
City staff will work with the community during the performance of these projects.

KEY STAKEHOLDERS:
Citywide

Ann Sasaki
Assistant Public Utilities Director

2·11·10
J. M. Barrett
Director of Public Utilities

Attachments: 1 - Change Order No. 1
2 – Resolution No. 304276 adopted October 28, 2008

CITY of SAN DIEGO – PUBLIC UTILITIES DEPARTMENT

Attachment 1

Job Order No. 762007

CHANGE ORDER FORM

Sheet 1 of 3

Date January 11, 2010

Contract Change Order No. 001 to Contract for:

Title General Requirements Contract 2009 "H"– C27 Native Habitat Landscape/Maintenance

Contractor Native Landscape Inc.

Payment to the contractor for these change order items shall provide full compensation for all equipment, materials, labor, field and home office overhead, mark-ups, and profit necessary to complete the work. By executing this contract change order, contractor agrees that no additional compensation or claims for items of work in this change order will be allowed.

Description:	Increase	Decrease
1. Extend the General Requirements Contract (GRC) 2009 "H" – C27 Contract by up to 1 additional year.		**$0**

CONTRACT INFORMATION

				Original Contract Amount	$1,000,000.00
				Contract Amount Authorized Through Phase ____ Funding	$0.00
Resolution No.:	304276			Prior Change Orders	$0.00
Fund:	41506	C.I.P. No.:	Various	Amount This Change Order	$0.00
P.O. Number:	Various	Aud. Cert. No	AC-2900527	New Contract Value	$1,000,000.00
Contract Doc.	K094504C	Ref. Dwg. No.:			

This is a **no cost** Change Order. No additional funds are requested. The Change Order will (X) not change ( ) increase ( ) decrease the amount of the contract based on:

(X) An Agreed Lump Sum of	$1,000,000.00
( ) Unit Prices agreed upon totaling	$
( ) Time and Materials	$

Original/Previous Contract duration: 365 days. Requested by this Change Order 365. NEW CONTRACT DURATION 730 days.

ORIGINAL CONTRACT COMPLETION DATE: February 17, 2010 **NEW CONTRACT COMPLETION DATE:** February 17, 2011

Accepted: _____ Contractor Date

Recommended By: _____ Construction Manager Date

_____ Public Utilities Project Manager Date

_____ Public Utilities Sr. Project Manager Date

_____ Public Utilities Contracts Manager Date

_____ Public Utilities Deputy Director, E & PM Date

_____ Public Utilities Sup. Admin. Analyst Date

Funds Cert. by _____ Auditor Date

Executed By: _____ Public Utilities Department Director or Assistant Director/Date

Approved as to form _____ City Attorney Date

Return to Public Utilities Department, Contracts Management, MS901

COPY TO

- ( ) **AUDITOR 6A w/ enclosure**
- ( ) **CONTRACTOR w/o enclosure**
- ( ) **PUBLIC UTILITIES CM w/ enclosure**
- ( ) **W.O. FILE w/ enclosure**
- ( ) **PROJECT MANAGER w/ enclosure**
- ( ) **CONSTRUCTION MANAGER w/ enclosure**

Change Order No. 001

DESCRIPTION OF WORK

Description	Increase	Decrease	Time
Item No. 1.	$0.00	$0.00	365
Extend the GRC 2009 "H" C27 Contract for up to one year to complete accelerated environmental projects. This is a no cost change order.			
Subtotal Amount	$0.00	$0.00	365
Total Net Change Order Amount	$0.00		365

Change Order No. 001

JUSTIFICATION FOR ENTITLEMENT

Per Resolution Number 304276 adopted on October 28, 2008, Native Landscape Inc. was awarded the General Requirements Contract 2009 "H"– C27 Native Habitat Landscape/Maintenance on February 17, 2009 for a maximum contract value of $1,000,000 and a maximum contract term of twelve (12) months. Public Utilities issued Notices to Proceed for a total of approximately $122,000. The contract expires on February 16, 2010.

In order to make further use of the GRC 2009 "H" - C27 Contract, to avoid the time and high cost of advertising and bidding projects, Public Utilities is requesting that the GRC C27 Contract be extended by up to one additional year. This change order will allow accelerated environmental projects which have completed design or are currently in design to proceed to construction through this GRC Contract. This is a no cost change order.

(R-2009-249 Corr. 2)

RESOLUTION NUMBER R- 304276

ADOPTED ON OCT 28 2008

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AWARD OF GENERAL REQUIREMENTS CONTRACT 2009 H FOR NATIVE HABITAT / LANDSCAPE MAINTENANCE.

BE IT RESOLVED, by the Council of the City of San Diego, that the contract documents and technical specifications for General Requirements Contract 2009 H [GRC 2009 H] for an as-needed contractor for Native Habitat/Landscape Maintenance for the Metropolitan Wastewater Department and all other facilities Citywide on file in the Office of the City Clerk as Document No. W.O. 764830, are hereby approved.

BE IT FURTHER RESOLVED, that after advertising in accordance with law, the Mayor or his designee is authorized to execute GRC 2009 H with the lowest responsible and reliable bidder for a minimum of $50,000 and not to exceed $1,000,000 for an initial one year with the option to extend the term of the contract for an additional year and an additional $1,000,000.

BE IT FURTHER RESOLVED, that exercising the option to extend the term of GRC 2009 H is contingent on future City Council approval.

BE IT FURTHER RESOLVED, that the expenditure of a total amount not to exceed $1,000,000 from all potential City sources with a minimum of $50,000 from Sewer Revenue Fund 41506 is authorized, solely and exclusively to provide funds for GRC 2009 H.

BE IT FURTHER RESOLVED, that prior to the award of each task order under the contract, the City Auditor must first provide one or more certificates demonstrating that the necessary funds are, or will be, on deposit in the City Treasury.

BE IT FURTHER RESOLVED, that the above activity is not a project and is therefore not subject to the California Environmental Quality Act pursuant to CEQA Guidelines section 15060(c)(2). Future projects utilizing this contract will be subject to further environmental review.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By _____
Thomas C. Zeleny
Deputy City Attorney

JWL:TCZ:ca:mb
9/15/08
10/01/08 Corrected
10/03/08 Corrected 2
Aud.Cert:N/A
Or.Dept:MWWD
MWD 9010
R-2009-249

I hereby certify that the foregoing Resolution was passed by the Council of the City of Diego, at its meeting of OCT 2 1 2008.

ELIZABETH S. MALAND, City Clerk

By _____
Deputy City Clerk

Approved: 10-28-08
(date)

_____
JERRY SANDERS, Mayor

Vetoed: _____
(date)

_____
JERRY SANDERS, Mayor