



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA OF:</b>	<b>12-20-16</b>	<b>AGENDA REQUEST NO:</b>	<b>V-B</b>
<b>INITIATED BY:</b>	<b>MONIQUE JOHNSON, AICP</b> <i>MJ</i> <b>ROW SERVICES COORDINATOR</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>PUBLIC WORKS</b>
<b>PRESENTED BY:</b>	<b>ROBERT VALENZUELA, PE</b> <b>DIRECTOR OF PUBLIC WORKS</b>	<b>DIRECTOR:</b>	<b>ROBERT VALENZUELA, PE</b> <b>DIRECTOR OF PUBLIC WORKS</b> <i>RV</i>
		<b>ADDITIONAL APPROVAL:</b>	<b>N/A</b>

**SUBJECT / PROCEEDING:** **RIGHT OF WAY LANDSCAPE BEAUTIFICATION SERVICES CONTRACT APPROVAL OF CONTRACT WITH ENCORE LAWN AND LANDSCAPE OF GREATER HOUSTON, LLC**

**EXHIBITS:** **CONTRACT**

### CLEARANCES APPROVAL

<b>LEGAL:</b>	<b>TRISHA DANG</b> <i>TD</i> <b>ASSISTANT CITY ATTORNEY</b>	<b>EXECUTIVE DIRECTOR:</b>	<b>N/A</b>
<b>PURCHASING:</b>	<b>TODD REED, CPPO</b> <i>TR</i> <b>PURCHASING MANAGER</b>	<b>ASSISTANT CITY MANAGER:</b>	<b>MIKE GOODRUM</b> <i>MG</i>
<b>BUDGET:</b>	<b>JUSTIN ALDERETE</b> <i>JA</i> <b>BUDGET OFFICER</b>	<b>ASSISTANT CITY MANAGER:</b>	<b>N/A</b>
		<b>CITY MANAGER:</b>	<b>ALLEN BOGARD</b> <i>Allen Bogard</i>

### BUDGET

<b>EXPENDITURE REQUIRED: \$</b>	<b>414,170.23</b>
<b>CURRENT BUDGET: \$</b>	<b>317,850.82 – FY 17</b>
<b>ADDITIONAL FUNDING: \$</b>	<b>96,319.41 – FY18</b>

### RECOMMENDED ACTION

Authorize the execution of a Right of Way Landscape Beautification Contract with Encore Lawn and Landscape of Greater Houston, LLC in the amount of \$414,170.23 for providing right-of-way landscape beautification services.

## EXECUTIVE SUMMARY

The Public Works Department provides contracted Right-of-Way Landscape Beautification services in City Rights-of-Ways, such as US 59, Dairy Ashford, Brooks Street, Eldridge Road, Seventh Street, SH 6, US 90A, University Blvd, Dulles Ave, Lexington and West Airport. The scope of work includes turf mowing, plant bed maintenance, litter pick up, tree pruning, irrigation inspections, fertilizer applications, fire ant applications, pre/post emergent applications and mulching of areas. The mowing, litter and plant bed maintenance portion of the contract is administered 44 cycles per year, while the remaining items are on a once or twice a year frequency.

In September city staff advertised a Request for Proposals and received five proposals in October. The Request for Proposals Process allows the City to select the best qualified vendor based on the following defined criteria, Pricing 40%, Project Management 40%, Financial Strength/ History 10% and Past Performance, Experience and References 10%. After the proposals were evaluated the responsible proposal was Landscape Professionals of Texas with a proposal of \$790,945.00, which exceed the current budget. As a result, on November 1, 2016 City Council rejected bids and during the presentation there were suggestions such as improving the procurement process, consideration of a CPI adjustment and prequalifying contractors to understand their financial strength, past performance & capabilities. Chapter 252 of the Texas Local Government Code details the processes that can be utilized to procure goods and services. Unfortunately Chapter 252 does not specifically list a process that can be used to pre-qualify vendors prior to going out for a formal procurement. As a result, staff issued an Invitation to Bid with specific and relevant criteria. We have utilized this process in the past for projects such as our sidewalk rehabilitation and have had success

On November 16 & 23, 2016, an Invitation to Bid was advertised in the local paper. The City received eight bids on December 2, 2016. Below is the overall ranking with Encore Lawn and Landscape of Greater Houston, LLC being the responsible bidder. Funding for this contract is available within the Public Works Operating and Maintenance Budget. The proposed contract is structured as a one year contract with a possibility of an additional four one year renewals. As a result, it coincides with the calendar year and spans two fiscal years.

1	Encore Lawn and Landscape of Greater Houston, LLC	\$ 414,170.23
2	D-Bar Contractors	\$ 464,276.00
3	Classic Irrigation & Landscape, Inc	\$ 507,211.64
4	Westco Grounds Maintenance Co	\$ 689,773.00
5	Brightview Landscape Services	\$ 815,948.00
6	Yellowstone Landscape	\$ 880,643.00
7	Landscape Professional of Texas	\$ 958,085.00
8	Maldonado Nursery & Landscape	\$ 1,149,349.00

The Public Works Department recommends that the City Council authorize the execution of a Right of Way Landscape Beautification Contract with Encore Lawn and Landscape of Greater Houston, LLC in the amount of \$414,170.23 for the City of Sugar Land.

## EXHIBITS

**CITY OF SUGAR LAND  
STANDARD CONTRACT FOR  
GENERAL SERVICES**

Over \$50K  
(Rev. 1-4-16)

**I. Signatures.** By signing below, the parties agree to the terms of this Contract:

**CITY OF SUGAR LAND**

**By:**

**Date:**

**Title:**

**CONTRACTOR:**

**By:**

**Date:** 12-9-16

**Title:** President

**Company:** Encore Lawn & Landscape

APPROVED AS TO FORM:

*Jisher Day*

**II. General Information and Terms.**

Contractor's Name and Address: Encore Lawn and Landscape of Greater Houston LLC  
7428 Fairview Street  
Houston, Texas 77041

Description of Services: Landscape Beautification Services

Maximum Contract Amount: \$414,170.23 per year/term

Effective Date: January 1, 2017

Termination Date: December 31, 2017, subject to the termination provisions in Section III. C.

Renewal: This contract will renew automatically under the same terms and conditions for four (4) additional one-year terms, subject to the termination provisions in Section III. C.

Contract Parts: This Contract consists of the following parts:

- I. General Information and Terms
- II. Signatures
- III. Standard Contractual Provisions
- IV. Additional Terms or Conditions
- V. Additional Contract Documents