



**CITY OF LARKSPUR
Staff Report**

May 15, 2019 Council Meeting

DATE: May 6, 2019

TO: Honorable Mayor Morrison and the Larkspur City Council

FROM: Bob Quinn, Public Works Superintendent
Julian Skinner, Public Works Director

SUBJECT: AUTHORIZE AMENDMENT NO. 1 TO CONTRACTOR SERVICES AGREEMENT WITH FORSTER & KROEGER LANDSCAPE MAINTENANCE, INC. TO ADD \$85,000 FOR PARK MAINTENANCE CREW AUGMENTATION SERVICES

ACTION REQUESTED

Adopt a resolution authorizing an amendment to the Contractor Services Agreement with Forster & Kroeger Landscape Maintenance, Inc. for the Public Works Parks Maintenance crew augmentation through the end of the current fiscal year.

SUMMARY AND BACKGROUND

The City's wide network of parks, multi-use trails and medians require continual landscaping upkeep by the Public Works Parks Maintenance division. For much of the current fiscal year, there have been two maintenance worker position vacancies of the six budgeted positions. Recruitment for the positions has been challenging; however, after several recruitment efforts, recent hires in January and April have returned the department to a fully staffed 6-person crew. Prior to this, staff contracted with Forster & Kroeger to provide the crew augmentation to fill in the gaps as needed on a temporary basis.

DISCUSSION

Staff contracted with Forster & Kroeger at the beginning of the 2018/19 fiscal year with the anticipation that the Fall 2018 recruitment would fill the 2 vacancies. This recruitment resulted in only a single new hire who was assigned to the Streets & Facilities Maintenance division. Forster & Kroeger continued to provide workforce augmentation until last month when the City's spring recruitment effort resulted in a new hire for the Parks Maintenance division. Forster & Kroeger's billings for crew augmentation from July 2018 through the end of the current fiscal year is anticipated to exceed the initial contract amount and the authorization limit of the City Manager and requires Council authorization. An amendment to Forster & Kroeger's agreement in the amount of \$85,000 will be sufficient to accommodate billings through the end of the fiscal year.

FISCAL IMPACT

The cost of contracting with Forster & Kroeger is funded through the Public Works Parks operating budget and is off-set by salary savings from the staff vacancies.

AGENDA ITEM 4.7

ENVIRONMENTAL STATUS

This agreement is categorically exempt under California Environmental Quality Act ("CEQA") guidelines Section 15301, Existing Facilities.

STAFF RECOMMENDATIONS

Staff recommends that Council authorize the City Manager to execute Amendment #1 for \$85,000 to the Contractor Services Agreement with Forster & Kroeger Landscape Maintenance, Inc.

Respectfully submitted,

Robert Quinn, Public Works Superintendent

Attachments

1. Resolution
2. Draft Contractor Services Agreement Amendment

**CITY OF LARKSPUR
RESOLUTION 29/19**

AUTHORIZE AMENDMENT NO. 1 TO CONTRACTOR SERVICES AGREEMENT WITH FORSTER & KROEGER LANDSCAPE MAINTENANCE, INC. TO ADD \$85,000 FOR PARK MAINTENANCE CREW AUGMENTATION SERVICES

WHEREAS, the City’s wide network of parks, multi-use trails and medians require continual landscaping upkeep by the Public Works Parks Maintenance division;

WHEREAS, workforce vacancies have necessitated staff to contract with Forster & Kroeger to provide the crew augmentation to fill in the gaps as needed on a temporary basis;

WHEREAS, Forster & Kroeger’s billings for crew augmentation from July 2018 through the end of Fiscal Year 2018/19 is anticipated to exceed the approved contract amount and the authorization limit of the City Manager and requires Council authorization;

WHEREAS, an amendment to Forster & Kroeger’s agreement in the amount of \$85,000 will be sufficient to accommodate billings through the end of the fiscal; and

WHEREAS, there are sufficient funds in the adopted Fiscal year 2018/19 Public Works operating budget to accommodate the requested contract amendment;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Larkspur authorizes the City Manager to execute an amendment to the contractor services agreement with Forster & Kroeger Landscape Maintenance, Inc. in the amount of \$85,000.

IT IS HEREBY CERTIFIED that the City Council of the City of Larkspur duly introduced and regularly adopted the foregoing resolution at a regular meeting held on May 15, 2019 by the following vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

Ann Morrison, Mayor

ATTEST:

Jamie Kuryllo, City Clerk

**1st AMENDMENT TO THE
AGREEMENT FOR CONTRACTOR SERVICES BETWEEN
CITY OF LARKSPUR AND
FORSTER & KROEGER LANDSCAPE MAINTENANCE, INC.**

This **1st Amendment** (the “Amendment”) the Agreement for Contractual Services (the “Agreement”), is entered into this _____ **day of** _____, **2019**, (the “Effective Date”), by and between the **City of Larkspur**, a municipal corporation (the “City”), and the Contractor, **Forster & Kroeger Landscape Maintenance, Inc.**, sometimes referred to as the “Party” or collectively the “Parties. Both the Agreement and the Amendment are entered into in Larkspur, California.

1. **EFFECT OF THE AMENDMENT.** The terms and conditions of this Amendment are intended by the Parties to modify the Agreement dated July 1, 2018. To the extent there is any inconsistency between the terms of this Amendment and the terms of the Agreement and/or its Appendix, the terms of this Amendment shall control.
2. **SCOPE OF WORK.** The Scope of Work as described in Exhibit A of the Agreement is modified to add the following project, described in the attached Exhibit 1 to this Amendment.”

Continued workforce augmentation for landscape maintenance

3. **COMPENSATION.** Compensation will be subject to the terms of the Agreement. In no event will Contractor’s compensation for this Amendment exceed **\$85,000** without a valid Change Order signed by both parties.
4. **EFFECTIVE DATE.** This Amendment shall be effective as of the Effective Date.

The Parties have executed this Amendment to the Agreement as of the date signed by the City.

[SIGNATURES ON FOLLOWING PAGE]

CITY OF LARKSPUR:

**FORSTER & KROEGER LANDSCAPE
MAINTENANCE, INC:**

Dan Schwarz, City Manager Date

Signature Date

Print/Type Contractor's Name & Title

Attest:

Jamie Kuryllo, City Clerk

Approved as to Form:

Sky Woodruff, City Attorney

2258457.1

EXHIBIT 1

Proposal From
Forster & Kroeger Landscape Maintenance, Inc.
Dated 8/1/2018 (1 Page)

Forster & Kroeger
Landscape Maintenance, Inc.
77 Larkspur Street, San Rafael CA 94901
Phone 415-456-6684, fax 415-453-2978

Proposal

Date: 8/1/18
Site: City of Larkspur.

Submitted To:
Contact:
Company: City of Larkspur
Phone: (415)
Email: publicworks@cityoflarkspur.org

Submitted By:
Contact: Raul Garcia
Company: Forster & Kroeger
Phone: (415) 456-6684
Email: raul@forster-kroeger.com

Description of Work: Supplemental labor.

Location of Work: City of Larkspur.

Scope of Work: We will provide workers to perform landscape maintenance to supplement the City crew. All work will be under the direction of the City.

- | | |
|--------------------------|-----------------------------|
| 1. Landscape labor | \$35.00 per worker per hour |
| 2. Irrigation technician | \$45.00 per worker per hour |

Additional Comments: Price includes all labor, equipment. Work will be performed on an as needed basis.

Client Authorization to Proceed:

➤ _____

Signature Date

(Please email back signed copy to indicate approval)