

APPROVED
MAY 02 2007

REPORT OF GENERAL MANAGER

NO. 07-102

DATE May 2, 2007

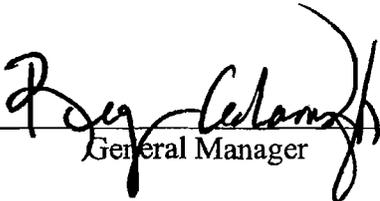
BOARD OF RECREATION
AND PARK COMMISSIONERS

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: BRUSH CLEARANCE CONTRACTS – SUPPLEMENTAL AGREEMENT

*J. Combs	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
B. Jensen	_____	M. Shull	_____



 General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve the attached master supplemental agreement to the ten Brush Clearance Contracts executed on June 9, 2006 to extend the term for as-needed brush clearance contractors, substantially in the form on file in the Board office, subject to approval of the Mayor and City Attorney as to form, and to include additional language that requires the contractor to provide safety equipment;
2. Find that in accordance with Charter Section 1022, the Department does not have personnel available in its employ with the necessary expertise to perform these services in a timely manner and that it is more feasible and economical, as well as being in the Department's best interest to secure these services by contract;
3. Direct the Board Secretary to transmit forthwith the proposed master supplemental agreement to the Mayor in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review as to form; and,
4. Authorize the General Manager to execute the supplemental agreement with each current brush clearance contractor upon receipt of the necessary approvals.

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SUMMARY:

The Department of Recreation and Parks (Department) has the responsibility for brush clearance for all Department properties where the threat of catastrophic property loss or physical injury due to brush or wildfires can occur at any time. The Los Angeles Municipal Code (LAMC) Sec. 57.21.07 states that the Department has the responsibility to abate certain hazardous public nuisances that include, but are not be limited to, brush clearance, weed and/or refuse abatement and tree trimming or removal, within 200 feet of private residences and 10 feet from roadways. In order to comply with the LAMC in a timely fashion, the Department requires the services of qualified brush clearance contractors, each of whom must execute an agreement with the Department.

Each year, the Department opens bidding for brush clearance service on approximately 225 parcels of Department-owned property of varying sizes. A pre-qualified group of brush clearance contractors competes for the work by bidding on packages of parcels. This group of contractors received training and certification from the Los Angeles City Fire Department's (LAFD) Brush Clearance Unit, and were selected through a Request for Qualification process. Contractors must attend mandatory orientation sessions presented by the Department and LAFD that outline the City and Department's Brush Clearance policies and compliance needs. They must comply with the City's Standard Provisions for Contracts and the Department's Brush Clearance policies. The majority of the contractors have expert staff which perform the more hazardous projects. Tree trimming above 15 feet requires the contractor to hold a C-61 or D-49 license from the California State Contractors Board. Throughout the year, Department staff clears brush in non-hazardous conditions where special expertise and equipment are not required.

On April 6, 2006 (Board Report No. 06-86), the Board approved a master contract for brush clearance contractors which included an option to renew at the discretion of the City for up to two additional years. On June 9, 2006, agreements were entered into with 10 pre-approved contractors. These agreements will expire on June 8, 2007, unless extended. The list of current contractors is shown on Attachment A. The supplemental agreement will provide for the two year extension of the contract, subject to continued funding availability.

For the 2007 season, LAFD has added a requirement that the contractors provide safety equipment for their employees during the course of the completion of the contracted work. The supplemental agreement includes a provision for the Department to also require such safety equipment as defined in the agreement.

The Department will compile several bid packages consisting of 30 to 50 hours of brush clearance for each. The packages may include multiple parcels to be abated. Work will be awarded to the lowest responsive bidder from the approved list. When the bid package is awarded, the contractor becomes responsible, pursuant to the terms of the agreement, for

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completing the work within 13 calendar days. Time is of the essence in the performance of work with each bid package. Contractors who fail to meet the deadlines will be assessed liquidated damages in the amount of \$200 per day.

In the 2006-07 budget, \$1,012,000 (Brush Clearance Account 3040) was provided to fund these contracts. The Department has a balance of approximately \$416,387 to initiate the brush clearing season prior to July 2007, when the new budget for 2007-08 becomes available. The Department anticipates the 2007-08 budget will allocate \$1,507,500 for brush clearance. It is estimated that \$1,450,000 will be spent during the 2007 summer season, with the remainder to be used next spring for the 2008 fire season.

FISCAL IMPACT STATEMENT:

The Department anticipates the 2007-08 budget will allocate \$1,507,500 for brush clearance in Account 3040. That amount, plus the current balance of \$416,387, should be sufficient to meet the Department's required brush clearance responsibilities for the 2007-08 season.

Prepared by Debby Rolland, Superintendent, West Region.

ATTACHMENT A

DEPARTMENT OF RECREATION AND PARKS
2007-08 BRUSH CLEARANCE CONTRACTORS

ABC Brush Clearance
Avalon Landscape, Inc.
Brian Walsh Brush Clearance
IEC (International Environmental Corporation)
Pan American Brush Clearance, Inc.
Pepo Weed Abatement, Inc.
Ray Byers & Company
Silent Fire, Inc.
Van Gogh Landscaping, LLC
Waste Unlimited, Inc.