

APPROVED

02-03-2016

BOARD OF RECREATION  
AND PARK COMMISSIONERS

REPORT OF GENERAL MANAGER

NO. 16-048

DATE February 03, 2016

C.D. 7

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: HANSEN DAM RECREATION AREA - BROWN-HEADED COWBIRD TRAPPING ENVIRONMENTAL MITIGATION SERVICES - AMENDMENT TO PERSONAL SERVICES CONTRACT WITH JANE C. GRIFFITH DBA GRIFFITH WILDLIFE BIOLOGY

R. Barajas \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
V. Israel \_\_\_\_\_

K. Regan \_\_\_\_\_  
\*N. Williams NDW

  
\_\_\_\_\_  
General Manager

Approved

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Amendment to Personal Services Contract No. 3488, substantially in the form on file in the Board Office, between the City of Los Angeles Department of Recreation and Parks (RAP) and Jane C. Griffith dba Griffith Wildlife Biology, a sole proprietor, to continue the required environmental mitigation service of cowbird trapping in the Hansen Dam Recreation Area, subject to the approval of the Mayor, and City Attorney as to form;
2. Find, in accordance with Charter Section 1022, that RAP does not have personnel available in its employ, with sufficient expertise to undertake these specialized professional tasks in a timely manner, and that these services can be performed more feasibly by a qualified independent contractor than by a City employee;
3. Find, pursuant to Charter Section 371 (e)(2), that the services to be provided are professional, expert, technical and special services of a temporary and occasional character for which competitive bidding is not practicable or advantageous and RAP does not currently have employees with the expertise to perform such services;
4. Find pursuant to Los Angeles Administrative Code Section 10.15 (a) (10) , that the use of competitive bidding would be impossible, as the contractor is the sole source for these services;

## REPORT OF GENERAL MANAGER

PG. 2

NO. 16-048

5. Direct the Board Secretary to transmit forthwith the proposed Personal Services Contract, Amendment concurrently to the Mayor in accordance with Executive Directive No. 3 and to the City Attorney for approval as to form;
6. Authorize the Board President and Secretary to execute forthwith the Amendment upon receipt of the necessary approvals; and
7. Authorize the General Manager, or designee, to make technical corrections as necessary to the contract, to carry out the intent of this Report.

### SUMMARY:

RAP initiated an environmental mitigation commitment to control the brown-headed cowbird at Hansen Dam Recreation Area in 1994. For the past twenty (20) years this mitigation service has been provided by Griffith Wildlife Biology (GWB), the only contracting firm permitted by the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS) to perform cowbird control work in the Hansen Dam area.

Cowbirds, about the size of a red-wing blackbird, are brood parasites, for they never make their own nests or raise their own young. Instead, cowbirds lay their eggs in the nests of other birds (hosts), who then raise the cowbird chicks as their own at the expense of their own young. This parasitism has contributed to the serious reduction in the population of riparian birds including the vireo, the flycatcher and the gnatcatcher, located in the Hansen Dam area and other riparian breeding areas, to the point that they are considered endangered.

Jane C. Griffith is the CDFG and USFWS acknowledged expert on cowbird trapping as she authored the protocol used by other environmental agencies and contractors. In addition to performing as the project manager and report author for RAP's required mitigation, Ms. Griffith is also a research biologist, with over twenty-eight (28) years of experience in endangered and threatened species research and recovery and is recognized as an authority in ornithology particularly with regard to the least Bell's vireo, southwestern willow flycatcher, California gnatcatcher and the brown-headed cowbird. She is also a published author on the subject of cowbirds and her protocol for brown-headed cowbird control was prepared for and has been in use by the USFWS, CDFG and GWB for over twenty (20) years. Her brown-headed cowbird trapping protocol also lists thirty-three (33) non-target species of birds that have been captured and released during the trapping season.

Per Los Angeles Administrative Code Section 10.15 (a) (10), the use of competitive bidding would be impossible as the contractor is the sole source for these services which are an implement in the environmental migration measures required, in 1994, by the Army Corp of Engineers for the Hansen Dam Recreational Lake and undesirable. The total compensation to be provided yearly to the contractor is for a small amount not to exceed Fifteen Thousand Dollars (\$15,000.00) per year.

REPORT OF GENERAL MANAGER

PG. 3

NO. 16-048

On January 22, 2014, the Board approved Contract No. 3488 for a potential term of three (3) years, through service year 2015, with an expiration date of March 31, 2016 (Report No. 14-014). Staff recommends extending the term of the contract by one (1) year by approval of this Report, with two (2) one (1)-year options to extend to be exercised at the discretion of the General Manager, for a total of six (6) contract years, changing the three (3) year contract total of Forty Thousand Two Hundred Eighty-Seven dollars (\$40,287.00) to a six (6) year contract total and not to exceed amount of Eighty-Two Thousand One Hundred Sixty-Six dollars (\$82,166.00).

CHARTER SECTION 1022 DETERMINATION

On November 20, 2013, the Personnel Department completed a Charter Section 1022 review (Attachment A) and determined that there are no City employees that can perform the work proposed for the contract, and RAP confirms that none of its current staff possess the necessary expertise to perform the annual cowbird trapping services required.

Staff recommends approval of the maximum six (6) years contract term extension and total contract amount of Eighty-Two Thousand, One Hundred Sixty-Six Dollars (\$82,166.00), should the General Manager exercise the options to renew the contract through 2018.

FISCAL IMPACT STATEMENT:

Funding for this contract is provided in Fund 302, Department 88, and Account 003040.

This report was prepared by Nancy Jeffers, Management Analyst II, Service Contracts Group, Finance Division.