

TO: James L. App, City Manager
FROM: Doug Monn, Public Works Director
SUBJECT: Award of Disking & Trimming Maintenance Contracts
DATE: March 18, 2008

NEEDS: For City Council to consider awarding a maintenance contract to Martinelli Landscape Construction Inc. for the yearly disking and trimming of City owned open spaces.

- Facts:
1. Currently the City of Paso Robles requires all privately owned open space properties within City limits be disked and/or mowed by June 1st of each year for fire prevention and aesthetic purposes. City--owned open spaces are subject to the same requirement.
 2. Historically, disking of City owned properties, for weed abatement and fire prevention, have been performed with city crews and contractor help.
 3. Because of the increase in the number of City properties requiring attention and the desire to raise the performance standard (both timeliness & quality) it is necessary to engage outside assistance to meet the June 1st deadline.
 4. The City advertised for bids on a contract for Disking and String Trimming of City open spaces. The City received four bids ranging from a low bid of \$47,000 to a high bid of \$70,000 (see attached).
 5. Staff and the City Attorney have reviewed the bids (included a bid protest) and concluded that the Disking and String Trimming bid received from Martinelli Landscape Construction Inc. meets the bid requirements and is the lowest responsive bid for this work.

**ANALYSIS &
CONCLUSION:**

Martinelli Landscape Construction, Inc. submitted the apparent low bid. The City received a written bid protest from the second-low bidder, Hansen Bros. Custom Farming. Hansen protested that Martinelli's bid could not be accepted because Martinelli failed to include information regarding its insurance coverage as the bid documents required. Hansen also challenged the bid documents as ambiguous regarding the contract term. The City requested Martinelli's response to the bid protest. Martinelli responded that it is presently performing maintenance work for a City Landscape and Lighting District, so the City has its insurance information on file, and that the City should not reject the bid. Staff confirmed that it has Martinelli's insurance information, and that the coverage will remain in effect through the dates for performing the disking and trimming contract. The City Attorney's office reviewed Hansen's protest and Martinelli's response, and concluded that Martinelli's failure to include the insurance information in its bid package was not a material deviation from the bid requirements since the City already had the information.

The City Attorney's office also considered the claimed ambiguity in the bid documents, and determined that the documents provided an accurate statement of the contract

term. In addition, Hansen waived any protest to the form of the bid documents by bidding. Accordingly, Hansen was notified by letter that its protest was rejected.

The lowest responsive bid, submitted by Martinelli, represents a substantial savings over last year's prices.

	<u>Disking</u>	<u>Trimming</u>
2007	\$126 per hour	\$57 per hour
2008	\$95 per hour	\$28 per hour

POLICY

REFERENCE: Purchasing and Payment Procedures Manual. Approved FY08 City of Paso Robles Maintenance and Operations budget.

FISCAL

IMPACT: The current approved FY08 budget contains funding for this work.

- OPTIONS:**
- a. Adopt Resolution No. 08-xx authorizing the City Manager to enter into a maintenance contract with Martinelli Landscape Construction Inc. (estimated at \$47,000 not to exceed ongoing yearly appropriation of \$73,000) for disking and trimming of city owned properties.
 - b. Amend, modify, or reject the above option.

Attachments (2)

- 1) Bid Summaries
- 2) Resolution

OPEN SPACE DISKING & TRIMING

DPW Project No. 07-19

Bid Opened February 14, 2008

Martinelli Landscape Construction, Inc.....	\$47,000
Hansen Bros Custom Farming.....	\$59,900
California Coastal Development.....	\$61,800
R & S Landscape, Inc.....	\$70,000

RESOLUTION NO. 08-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROPRIATING FUNDS AND AWARDING CONTRACTS TO MARTINELLI LANDSCAPE
CONSTRUCTION INC. FOR DISKING AND STRING TRIMMING OF CITY OPEN SPACES

WHEREAS, currently the City of Paso Robles requires all privately owned open space properties within City Limits to be disked and/or mowed by June 1st of each year for fire prevention and aesthetic purposes; and

WHEREAS, historically disking of City open spaces, for weed abatement and fire prevention, has been done with city crews and contractor help; and

WHEREAS, because of the increase of City properties requiring attention and the desire to raise the performance standard it is necessary to engage outside assistance to meet the June 1st deadline; and

WHEREAS, the City advertised for Disking and String Trimming of City Open Spaces; and

WHEREAS, four (4) bids were received and opened February 14, 2008 for Disking and String Trimming of Open Spaces; and

WHEREAS, bids received for Disking and Trimming ranged from \$47,000 to \$70,000; and

WHEREAS, Staff and City Attorney reviewed the Disking and Trimming bids (including a bid protest) and found Martinelli Landscape Construction Inc bid to be responsive; and

WHEREAS, the Disking and Trimming bid from Martinelli's meets the bid requirements and is the lowest responsive bid; and

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City Council of the City of Paso Robles does approve an ongoing yearly supplemental budget appropriation from the City General Fund in the amount of \$73,000 to budget account 100-310-5224-292; and

SECTION 2. The City Council does hereby award contracts to Martinelli Landscape Construction, Inc. for Disking of City Open Spaces for \$19,000 and for Trimming of City Open Spaces for \$28,000, and authorizes the City Manager to execute the contracts.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18th day of March 2008 by the following votes:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Frank R. Mecham, Mayor

Deborah D. Robinson, Deputy City Clerk