Council Meeting of
June 16, 2009

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: Community Services – Approve the Cancellation of the Agreement for Turf Maintenance at City Parks.

Expenditure: N/A

RECOMMENDATION

Recommendation of the Community Services Director that City Council approve the cancellation of Agreement C2009-052 with Tri Valley Landscape Maintenance for turf improvements to six city parks.

Funding
Funding will remain in FEAP 654.

BACKGROUND/ANALYSIS

The Torrance City Council authorized funding under FEAP 654 for Turf Maintenance Improvements to the City's most used parks. Due to the unique nature of the services required to improve the turf, Community Services staff felt that it would be better to use a contractor who specializes in turf services rather than using internal resources.

Over the summer of 2008, staff solicited information from cities with contracts for similar services to create a Request for Proposal (RFP), which was issued in October 2008. On March 10, 2009 Tri Valley Maintenance was awarded the contract (C2009-052) in the amount of $88,697.90 (Item 8G).

The first scheduled application of fertilizer and broad leaf weed control was performed in April 2009. After that service, it was brought to our attention by the contractor that the quantity of fertilizer and weed abatement chemicals per application was too low to make a significant difference to our fields and that we will not see the improvements that were anticipated. The Contractor recalculated his price based on the additional materials costs that he recommended, but the Department feels that it would be better to cancel the current agreement and re-bid for service.

The Community Services Department would like to cancel agreement C2009-052 as soon as possible to conserve the funds available under FEAP 654 and to maximize services during next year's growing season. To date, the Contractor has been paid in full ($5,238.87) for services rendered. In addition, the Department will be coming before Your Honorable Body with a request for permission to conduct a new turf maintenance RFP in October 2009 for services targeted to begin in early Spring 2010.

Respectfully Submitted,

John Jones
Community Services Director

CONCUR:

LeRoy J. Jackson
City Manager

Attachment: A) Draft Cancellation Letter

AO:JM:tlk:adminsvcs\councilitems\2009\tri valley maintenance cancellation 6-16-09ci

ATTACHMENT A

DRAFT 6-8-09

Via Facsimile (805) 494-5001 and U.S. Mail

Tri Valley Landscape Management
7 Duesenberg Drive
Westlake Village, California 91362

Attn: Jennifer Allison

Re: Notice of Termination of Agreement
City of Torrance Contract Number C2009-052

Dear Ms. Allison:

Please be advised that effective immediately, the City of Torrance is terminating the above-referenced agreement between Tri Valley Landscape Management which the parties entered into on March 11, 2009.

This termination which was authorized by the City Council on _____, 2009 is for the convenience of the City pursuant to section 4A of the Agreement.

As you know, paragraph 4A2 requires that you:

"a. cease operations as directed by CITY in the notice;
b. take actions necessary, or that CITY may direct, for the protection and preservation of the work; and
c. except for work directed to be performed prior to the effective date of termination stated in the notice, terminate all existing subcontracts and purchase orders and enter into no further subcontracts and purchase orders."

Thank you for your immediate attention to this matter.

Sincerely,

Frank Scotto
Mayor

3031 Torrance Blvd. • Torrance, CA 90503-5059 • Telephone 310/618-5810 • Facsimile 310/618-5813