



Legislation Details (With Text)

**File #:** ID 23-1776    **Version:** 1    **Name:**

**Type:** Action Item    **Status:** Passed

**File created:** 12/1/2023    **In control:** City Council

**On agenda:** 12/14/2023    **Final action:** 12/14/2023

**Title:** Award a Requirements Contract to Briner & Son Landscape Management of Fresno, California to provide weekly landscape maintenance services to all community facilities districts (CFDs) and community parks within the City of Fresno, east of Freeway 41 for one year with seven optional one-year extensions in an amount up to \$944,424.00 per year plus an annual 20% contingency (RFP No. 12400071) (Council Districts 4, 5, 6 and 7).

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Bid Evaluation, 2. Committee Evaluation Report - Pricing Comparison

Date	Ver.	Action By	Action	Result
12/14/2023	1	City Council	ADOPTED	Pass

**REPORT TO THE CITY COUNCIL**

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

**BY:** BRIAN E. RUSSELL, Assistant Director  
Public Works Department, Streets, Landscape, and Graffiti Divisions

MARK A. RIVAS, Senior Management Analyst  
Public Works Department, Streets, Landscape, and Graffiti Divisions

**SUBJECT**

Award a Requirements Contract to Briner & Son Landscape Management of Fresno, California to provide weekly landscape maintenance services to all community facilities districts (CFDs) and community parks within the City of Fresno, east of Freeway 41 for one year with seven optional one-year extensions in an amount up to \$944,424.00 per year plus an annual 20% contingency (RFP No. 12400071) (Council Districts 4, 5, 6 and 7).

**RECOMMENDATION**

Staff recommends that the City Council award a Requirements Contract for one-year with seven optional one-year extensions in an amount up to \$944,424.00 per year plus an annual 20% contingency to Briner & Son Landscape Management of Fresno, California as the best value for weekly landscape maintenance services and to authorize the Public Works Director or designee to sign the contract on the City's behalf.

## EXECUTIVE SUMMARY

The Landscape Division of Public Works is seeking a Requirements Contract to provide weekly landscape maintenance services for all CFDs and community parks east of Freeway 41. The prior contract reached its expiration date and is on a short-term contract extension while this new contract is bid and awarded. The Landscape Maintenance Division is responsible for the maintenance of CFD's and parks, and coordinates with the PARCS Department to ensure the community parks portion of the contract is serviced in a way that is deemed acceptable by the City. This weekly landscape maintenance is accomplished by using a combination of City landscape crews who primarily focus on the larger regional parks, and private landscape contracts, who primarily focus on the CFD landscapes and smaller park facilities. This RFP was advertised and evaluated with the goal of awarding a contract to the proposal that provides the best value for the City, not necessarily the lowest price. The proposal submitted by Briner & Son Landscape Management was determined to provide the best value for the City.

## BACKGROUND

The current weekly landscape maintenance services contract was set to expire on March 10, 2023. It was extended through December 31, 2023 to afford the Division ample time to prepare, request proposals, and evaluate a satisfactory replacement contract.

Early in the RFP preparation process, the Division made the decision to replace the single contract with three separate smaller contracts. The primary reason was to ensure contractor accountability. Unlike the previous contract, which was a single contract segmented by quadrants, multiple independent smaller contracts gives the City additional flexibility around managing the overall quality of service being provided. In a situation where a specific contractor is providing substandard service, the City would now have the ability to easily terminate and rebid only that specific contract (representing a geographic area of the City) without affecting other area contracts being serviced by other contractors.

On July 22, 2023, the City posted two separate and independent RFPs on PlanetBids to provide the City with weekly landscape maintenance services for two distinct "Areas" of the City. This staff report refers to RFP No. 12400071, which represents the Area east of Freeway 41. A separate staff report will be submitted for RFP No. 12400220, representing the Area west of Freeway 41. Both contracts are exclusively for services related to CFDs and City parks. A third RFP to service Citywide non-park facilities is being contracted separately. Because these two initial RFPs received proposals from the same group of contractors, a single committee was deemed to be suitable to evaluate both RFPs simultaneously.

Following the receipt of five proposals on August 22, 2023, an Evaluation Committee (Committee) was formed which was comprised of members from three City Departments, Public Works, PARCS, and FAX. Members included the Landscape Division's Public Works Manager, Landscape Superintendent, and Senior Management Analyst as well as a PARCS Operations Manager representing the PARCS Department, a Senior Management Analyst from FAX, and the Procurement team assigned to the project. The goal of the Committee was to thoroughly review each proposal resulting in a recommendation of the proposal which represented the best value to Council. As part of the review, the Committee members evaluated the proposers on 1) cost as shown on the proposal form, 2) ability to meet the stated service requirements, 3) past performance and experience based

on references, 4) conformance to the terms and conditions of the RFP, 5) financial stability based on information provided on the Statement of Qualifications, and 6) other related information. In addition to the established criteria, the Committee also reviewed information collected from follow-up questionnaires and reference feedback.

The Committee met four times over the course of two months to evaluate proposals submitted by five separate contractors. The evaluation process included detailed reviews of all five proposals, lengthy discussions regarding the current level of service, additional requests for information, best and final offer requests, and a vetting process, which included detailed reference checks. As part of the evaluation process, the Committee ultimately narrowed the field down to three finalists, which were not only deemed to possess the resources capable of servicing the City's needs, but to also have submitted cost proposals within the Division's budget parameters.

At the end of the long comprehensive process, the committee was unanimous in their decision to recommend Briner & Son Landscape Management for the following reasons:

- **Past Performance** - Two of the three finalists, Brightview Landscape Services and Elite Maintenance & Tree Service (EMTS), are currently servicing the City as part of the existing contract. Neither were selected for the new contract. The sole reason for this was performance history. Two members of the committee have longstanding working relationships with both contractors. The feedback from these members was that while both companies have good people in their employ, neither are sufficiently staffed in the areas of irrigation, weed abatement, or account management. This has resulted in unhealthy landscapes, prolonged response times, and poor communication.

Under the current contract, City staff is regularly tasked with dedicating a portion of their day to inspecting sites already serviced by the contractor for corrections or incomplete work. Staff must then coordinate with the contractor to have the issues resolved. This process has often repeated multiple times leading to missing service cycles. Response time is critical for the longevity of these landscapes, whether it be an unresolved irrigation issue resulting in loss of plant material, or an ineffective weed abatement program, which allows weeds to thrive and take over ground cover or turf.

Also affected is the City's CFD Enhancement crew, whose primary tasks include renewing landscapes that have reached the end of their natural life cycle. As contractor routes get missed or fail to be properly serviced, the Enhancement crew is having to be pulled from scheduled projects to go back and replace recently planted yet neglected landscapes that have died from lack of care. This is time and effort that could be better spent on other City beautification projects.

The Committee's position is that the current level of service is unsatisfactory, is not sustainable, and has resulted in landscapes that now need to be refurbished. Replacing failed landscapes is costly and preventable with proper maintenance. Because both of the prior contractors (Brightview Landscape Services and EMTS) are proposing essentially the same level of resources for this RFP as they did the prior contract, the Committee is concerned that the City will continue to receive an unsatisfactory level of service.

- **Ability** - As part of the evaluation process, the Committee asked the three finalists specifically how many individuals by position would be dedicated to the contract. Briner & Son responded with not only a larger overall crew compared to Brightview and EMTS, but double the number of Spray and Irrigation Techs, which are crucial components to the overall weekly service crews. The limited

number of field personnel as well as the lack of communication between the field crews and the Account Managers has been one of the main reasons the overall level of service of the current contract has suffered.

- **Financial Stability** - All three finalists provided proof of solid company financial positions. However, while not part of the official evaluation criteria, it did not go unnoticed by the Committee that Briner & Son was the only one of the three finalists to be headquartered in the City of Fresno.
- **Other (References)** -
  - Briner & Son was the only contractor to have all three references respond to our requests for information. All three were positive and referenced local properties.
  - Brightview: Of the three references provided by Brightview, only two references responded. Neither was local. One of the references made it a point to distinguish between Brightview branches as to the level of service they receive. He referred to this in 3 of the 5 questions asked.
  - EMTS: Of the three references provided by EMTS, only one reference responded. It was positive and was also local, however the Committee had concerns as to why none of the other references would respond.
- **Limited Risk** - Unlike the current contract which was executed in 2015 with a five-year initial term with three optional one-year extensions, this contract is for a one-year initial term with seven optional one-year extensions. This gives the City the ability to conduct a new RFP in a year's time if the Department consensus is that the level of service is not commensurate with the cost.

The Committee carefully and thoroughly considered all aspects of the submitted proposals, including the fact that the previous contract predated prevailing wage requirements, and that the award of this contract be made with the confidence that proper labor codes and resolutions will be adhered to. Appropriate consideration was also given to both cost and the ability to provide an acceptable level of service. Ultimately, the Committee determined that the Briner & Son Landscape Management proposal represented the most sensible choice and best value for the City.

The City Attorney Office has reviewed and approved to form.

Staff recommends that the City Council award a Requirements Contract for one-year with seven optional one-year extensions in an amount up to \$944,424.00 per year plus an annual 20% contingency to Briner & Son Landscape Management of Fresno, California as the best value for weekly landscape maintenance services and to authorize the Public Works Director or designee to sign the contract on the City's behalf.

## ENVIRONMENTAL FINDINGS

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378, awarding of this contract is not a project for the purposes of CEQA.

## LOCAL PREFERENCE

The recommended proposer maintains its headquarters within the City of Fresno.

## **FISCAL IMPACT**

Annual appropriations for weekly landscape maintenance services consist of CFD2, CFD11 and General Fund. Staff reviews funding annually, and there is adequate funding to support this contract within the adopted budget.

Attachment(s):

Bid Evaluation

Committee Evaluation Report - Pricing Comparison