



# CITY COUNCIL STAFF REPORT



**April 12, 2022**

## **ITEM TITLE**

Open Space Landscaping Services: Approve First Amendment with Aztec Landscaping, Inc. to Increase Maximum Contract Amount

**Report Number:** 22-0098

**Location:** No specific geographic location

**Department:** Public Works

**Environmental Notice:** The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15301 Class 1 (Existing Facilities) and Section 15304 Class 4 (Minor Alterations to Land).

## **Recommended Action**

Adopt a resolution approving the first amendment to the agreement with Aztec Landscaping, Inc., for on-call landscaping services to increase the maximum not-to-exceed contract amount from \$1,000,000 to \$2,000,000 over the 5-year term of the agreement.

## **SUMMARY**

The Public Works Department previously identified the need to enlist qualified contractors to provide landscape services for various projects within the City of Chula Vista. Approval of the item will increase the maximum not-to-exceed contract amount for Aztec Landscaping, Inc. to provide on-call open space landscaping services, which would allow for an expanded number of landscape projects to be provided during the original contract term.

## **ENVIRONMENTAL REVIEW**

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15301 Class 1 (Existing Facilities) and Section 15304 Class 4 (Minor Alterations to Land) because the proposed project would not result in a significant effect on the environment, create a cumulative impact, damage a scenic highway, or cause a substantial adverse change in the significance of a historical resource. Thus, no further environmental review is required.

## **BOARD/COMMISSION/COMMITTEE RECOMMENDATION**

Not applicable.

## **DISCUSSION**

The Public Works Department staff manages landscape improvements within the City's open space areas that are part of the Open Space Districts and Community Facilities Districts. These City open space areas may periodically have needs that require landscape services. Typical services that the City may require include:

- Landscape improvements
- Repair of irrigation systems
- Decomposed Granite (DG) trail restoration/repair
- Mulching
- Weed control and brush abatement services
- Erosion control services

As a result of a Request for Qualification (RFQ) for On-Call Open Space Landscape Services, the City entered into agreements with four (4) contractors that were qualified to the on-call list. Aztec Landscaping, Inc., was one of the approved contractors that were awarded a contract via this RFQ. City Council approved the contract on December 3, 2019 via Resolution 2019-225.

Aztec Landscaping, Inc. (Aztec) has consistently been the lowest bidder of the 4 approved on-call contractors for numerous landscape service projects and assignments, which has resulted in a higher actual usage of Aztec than anticipated in their agreement. Due to the number and larger scope of the projects and assignments for which Aztec has provided services, Aztec has come close to the current maximum not-to-exceed limitation of \$1,000,000. Aztec's agreement has an approximate 5-year term and does not expire until December 31, 2024. As such, Staff is recommending that the maximum not-to-exceed amount of \$1,000,000 be increased to \$2,000,000 to allow Aztec to continue provide as-needed, on-call landscape services over the remaining life of the contract.

## **DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City Council members do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

## **CURRENT-YEAR FISCAL IMPACT**

There is no current fiscal year impact as a result of approval of the resolution. Those projects that could be anticipated have been included as part of the adopted Fiscal Year 2021/22 budget.

## **ONGOING FISCAL IMPACT**

The annual number of projects and assignments for which the contractor services are required will vary as tasks will be ordered on an “as-needed” basis. Costs for anticipated projects will be included in the respective budgets for Open Space and Community Facility Districts where there is funding available. These projects are anticipated to have no net impact to the General Fund impact.

## **ATTACHMENTS**

1. Original Agreement between City of Chula Vista and Aztec Landscaping, Inc. to Provide On-Call Open Space Landscape Services
2. Proposed First Amendment to the Aztec Landscaping, Inc. On-Call Open Space Landscape Services Agreement

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