

FORM APPROVED COUNTY COUNSEL
 BY: GREGORY P. PRIAMOS DATE 7/27/16

Departmental Concurrence

**SUBMITTAL TO THE BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

367



FROM: Economic Development Agency

SUBMITTAL DATE:
 August 23, 2016

SUBJECT: Approval of 5 Year Extension of Amendment No. 2 to the Professional Services Agreement between Excel Landscape and the County of Riverside for Landscape Maintenance Services In County Service Areas 85, 126, 134, 143, 149, and 152SF; CEQA Exempt, District 1,2,3,5 [\$6,833,200], County Service Area Budget; 85, 2%; 126, 4%; 134, 18%; 143, 52%; 149,5%; and 152SF, 19%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment 2 to the Professional Services Agreement between Excel Landscape and the County of Riverside to include CSA Parks administered by the Community Services Division of the Economic Development Agency; and,
2. Authorize the Chairman of the Board to execute the amendment on behalf of the County of Riverside; and,

(Continued)

Robert Field

Robert Field
 Assistant County Executive Officer/EDA

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost: | POLICY/CONSENT (per Exec. Office) |
|---|----------------------|-------------------|--------------|---|---|
| COST | \$ 1,366,640 | \$ 1,366,640 | \$ 6,833,200 | \$ 0 | Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/> |
| NET COUNTY COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 | |
| SOURCE OF FUNDS: County Service Area Budget; 85, 2%; 126, 4%; 134, 18%; 143, 52%; 149,5%; and 152SF, 19% | | | | Budget Adjustment: No | |
| | | | | For Fiscal Year: 2016/17-2020/21 | |

C.E.O. RECOMMENDATION:

APPROVE

BY: Rohini Dasika
 Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
 Nays: None
 Absent: None
 Date: August 23, 2016
 xc: EDA, Recorder

Kecia Harper-Ihem
 Clerk of the Board
 By: Kecia Harper-Ihem
 Deputy

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: 3.24 of 12/08/2015 | **District:** 1,2,3,5 | **Agenda Number:**

3-21

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

Economic Development Agency

FORM 11: Approval of 5 Year Extension of Amendment No. 2 to the Professional Services Agreement between Excel Landscape and the County of Riverside for Landscape Maintenance Services In County Service Areas 85, 126, 134, 143, 149, and 152SF; CEQA Exempt, District 1,2,3,5 [\$6,833,200], County Service Area Budget; 85, 2%; 126, 4%; 134, 18%; 143, 52%; 149,5%; and 152SF, 19%

DATE: August 23, 2016

PAGE: 2 of 3

RECOMMENDED MOTION: (Continued)

3. Delegate contract management authority for the Agreement to the Assistant County Executive Officer/EDA, as already approved in the budget and approved by County Counsel, to include:
 - a. Execute administrative changes to the Agreement
 - b. Increase the annual amount of the Agreement based on new development and/or other additions to CSA responsibilities; and,
4. Find Amendment 2 to the Professional Services Agreement is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines section 15301, Existing Facilities; and,
5. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk upon approval of Amendment 2 to the Professional Services Agreement.

BACKGROUND:

Summary

On April 24, 2007, the County of Riverside, on behalf of CSA 134, entered into an agreement with Campesino Landscape for landscape maintenance services. On January 5, 2010, the County of Riverside, on behalf of CSA 143 and CSA 149, entered into agreements with Adams Landscaping for landscape maintenance services. In order to take advantage of an economy of scale by combining all CSA landscape areas into one maintenance services agreement, and increase accountability of CSA contractors by having one standard contract for all areas, the Community Services Division issued the formal Request for Proposals (RFP) CSARC-2015 and advertised on the Economic Development Agency's website as well as contacted blue rooms for distribution of the RFP to qualified landscape maintenance contractors. Eight contractors were present for the mandatory pre-bid meeting. Five proposals were received with a cost range of \$540,696 to \$1,198,272 per year. Excel Landscape Inc., based in Corona, CA, ranked the highest in the combined categories of (1) general understanding of the RFP requirements, (2) bidder's experience and ability, (3) overall cost to County, (4) references with demonstrated success with similar work to the Scope of Service, and (5) bidder's equipment capabilities and employee resources. This proposal includes prevailing wage. Representatives from the EDA reviewed all proposals and recommended that Excel Landscape Inc. receive the award.

As of July 1, 2016, operations and maintenance responsibilities for CSA Parks has been returned to CSA Administration. The County of Riverside and Excel Landscape, Inc, have agreed to amend the existing Professional Services Agreement for CSA Landscape Maintenance to include the addition of CSA Parks. The additional annual cost for this amendment is \$578,288. The period of performance shall be for five years with two additional one-year extension options. EDA staff recommends that the Board of Supervisors approve the recommended motions.

The Professional Services Agreement with Excel Landscape for landscape maintenance services in County Service Area 126, 134, 143, and 149 is exempt from CEQA pursuant to CEQA Guidelines section 15301, Existing Facilities which includes an exemption for "(h) maintenance of existing landscaping, native growth, and water supply reservoirs."

(Continued)

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

Economic Development Agency

FORM 11: Approval of 5 Year Extension of Amendment No. 2 to the Professional Services Agreement between Excel Landscape and the County of Riverside for Landscape Maintenance Services In County Service Areas 85, 126, 134, 143, 149, and 152SF; CEQA Exempt, District 1,2,3,5 [\$6,833,200], County Service Area Budget; 85, 2%; 126, 4%; 134, 18%; 143, 52%; 149,5%; and 152SF, 19%

DATE: August 23, 2016

PAGE: 3 of 3

BACKGROUND:

Summary

(Continued)

Impact on Residents and Businesses

There is no anticipated negative financial impact on residents and businesses. The average price per square foot of landscape maintenance is expected to be lowered as a result of combining multiple areas of landscape maintenance under one contractor. The charge back to each CSA for the cost of the awarded contractor's overhead will also be lower as a result of unifying the CSA agreement. Administration of work conducted under this agreement will be streamlined as a result of the consolidation of responsibilities under one agreement.

Additional Fiscal Information

The approximate allocation of the landscape maintenance services contract is as follows:

| CSA LANDSCAPE AREA | ESTIMATED COST ALLOCATION |
|--------------------------------------|----------------------------------|
| CSA 85 = 392,040 sq ft | 2% |
| CSA 126 = 402,040 sq ft | 4% |
| CSA 134 = 2,216,563 sq ft | 18% |
| CSA 143 = 6,185,520 sq ft | 52% |
| CSA 149 = 1,300,480 sq ft | 5% |
| CSA 152SF = 1,481,040 sq ft | 19% |
| Total Area = 11,977,683 sq ft | 100% |

All costs associated with this agreement and amendment will be 100% funded by CSA budgets, thus no net county costs will be incurred and no departmental budget adjustment is required at this time.

Attachments:

Amendment 2 to Professional Services Agreement for Landscape Maintenance Services

Professional Services Agreement for Landscape Maintenance Services

AMENDMENT NO. 2
TO PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE COUNTY OF RIVERSIDE
AND EXCEL LANDSCAPE

The County of Riverside ("County") and Excel Landscape, Inc. ("Contractor") entered into a Professional Services Agreement for Landscape Maintenance Services on December 8, 2015 ("Agreement") at various County Service Areas.

The parties now agree to amend the Agreement as follows:

1. The parties agree to add services for the additional County Service Areas listed in Exhibit A-2, at the additional price stated in Exhibit A-2.
2. This amendment shall be effective as of September 1, 2016 and continue in effect for the same duration and on the same terms as the Agreement.

All other terms of the Agreement shall remain unchanged and in effect.

COUNTY OF RIVERSIDE

By: John J. Benoit

John J. Benoit, Chairman
Board of Supervisors

Date: **AUG 23 2016**

EXCEL LANDSCAPE, INC.

BY: Jose Alfaro

Jose Alfaro, President
Excel Landscape, Inc

Date:

FORM APPROVED COUNTY COUNSEL

BY: Neal R. Kipnis DATE: 7/22/16

1

ATTEST:

KECIA HARPER-IHEM, Clerk

BY: Kecia Harper-Ihem
DEPUTY

AUG 23 2016

3-21

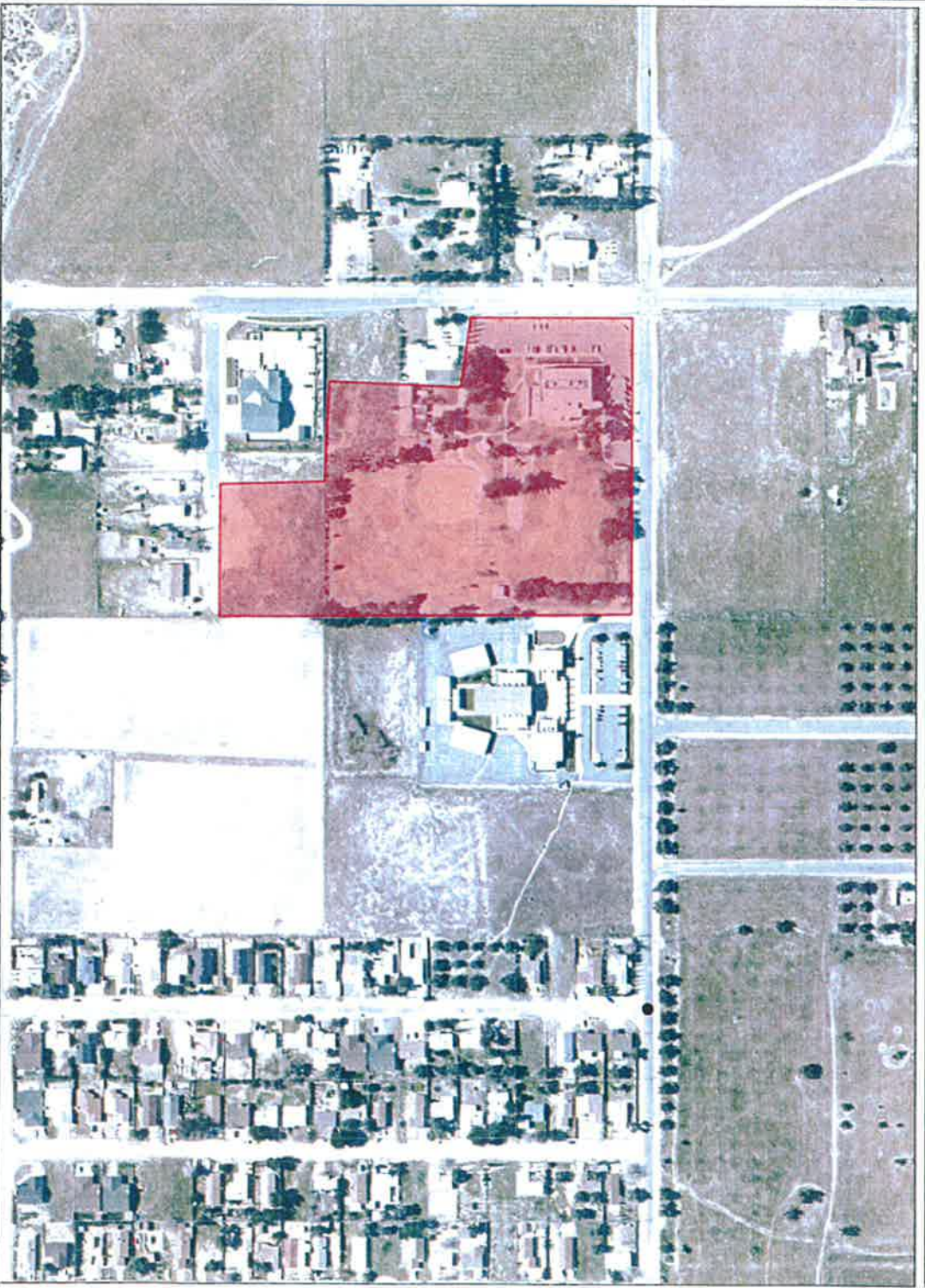
EXHIBIT A-2
(Amendment No. 2)

ADDITIONAL CONTRACTOR SERVICES AND PAYMENT

- CSA 85 - \$3,842.42/month
 - Cabazon Park Maintenance
- CSA 126 - \$4,434.47/month
 - Highgrove Park Maintenance
- CSA 134 - \$5,842.32/month
 - Montecito Park Maintenance
- CSA 143 - \$19,560.50/month
 - Central Park Maintenance
 - Willows Park Maintenance
 - Discovery Park Maintenance
 - Joseph Park Maintenance
 - Overlook Park Maintenance
 - Morgan Hill Park Maintenance
 - Madigan Park Maintenance
 - Galleron Park Maintenance
- CSA 152SF - \$14,510.97/month
 - Deleo Regional Sports Park Maintenance
 - Coral Canyon Park Maintenance

TOTAL MONTHLY ADDITION: \$48,190.68

CSA 85 Cabazon Park



Legend

-  City Boundaries
-  Cities

Notes

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CSA 126 Highgrove Park



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Notes

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757

1,515 Feet



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CSA 134 Montecito Park



Legend

-  City Boundaries
-  Cities

Notes

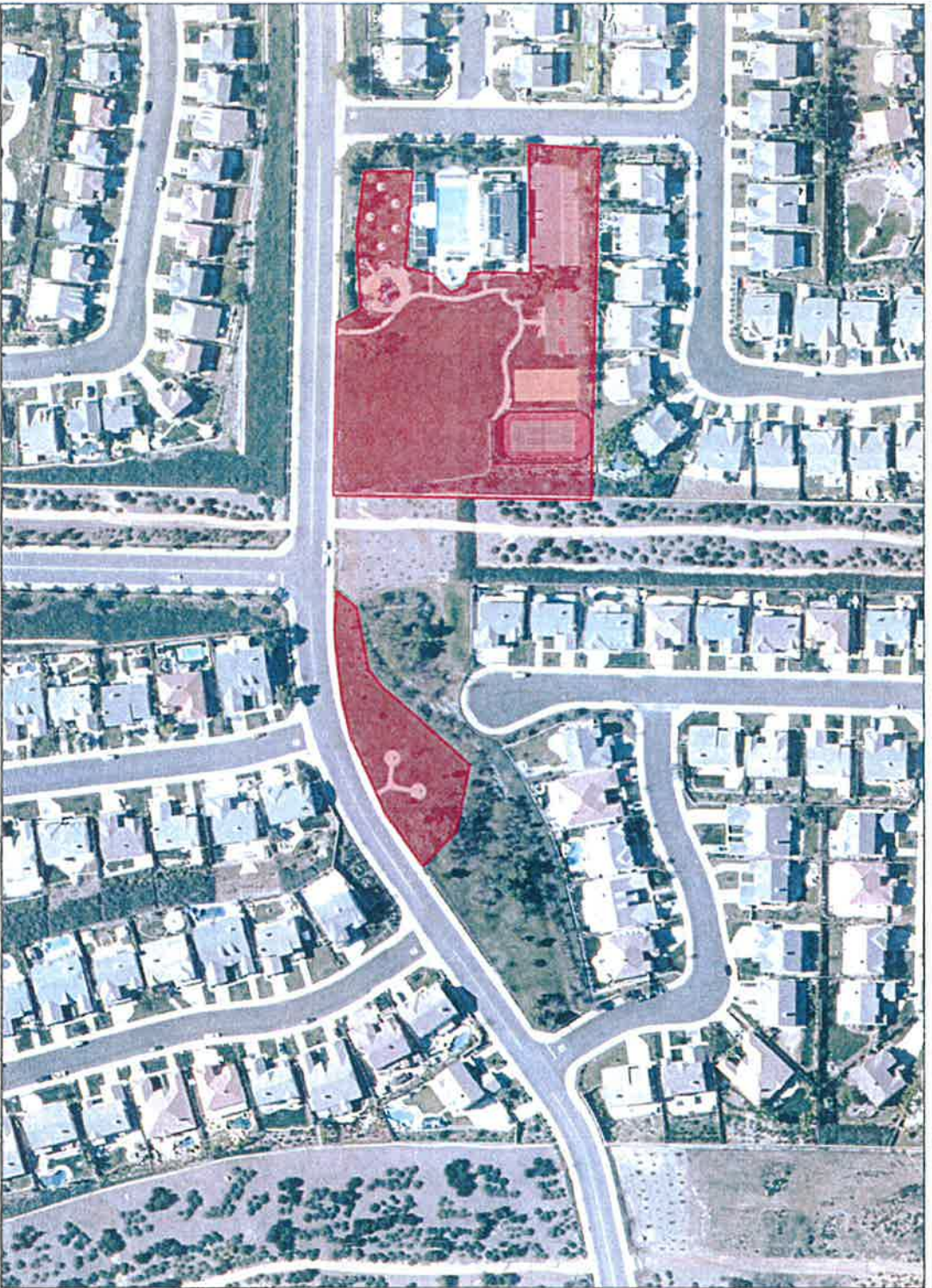
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CSA 143 Central Park



Legend

-  City Boundaries
-  Cities

Notes

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236

472 Feet



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CSA 143 Willows Park



- Legend**
- City Boundaries
 - C Cities

Notes

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CSA 143 Discovery Park



- Legend**
-  City Boundaries
 -  Cities

Notes

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CSA 143 Joseph Park



- Legend**
- City Boundaries
 - Cities



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Notes

CSA 143 Overlook Park



Legend

-  City Boundaries
-  Cities

Notes

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CSA 143 Morgan Hill Park



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CSA 143 Madigan Park



Legend

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Notes

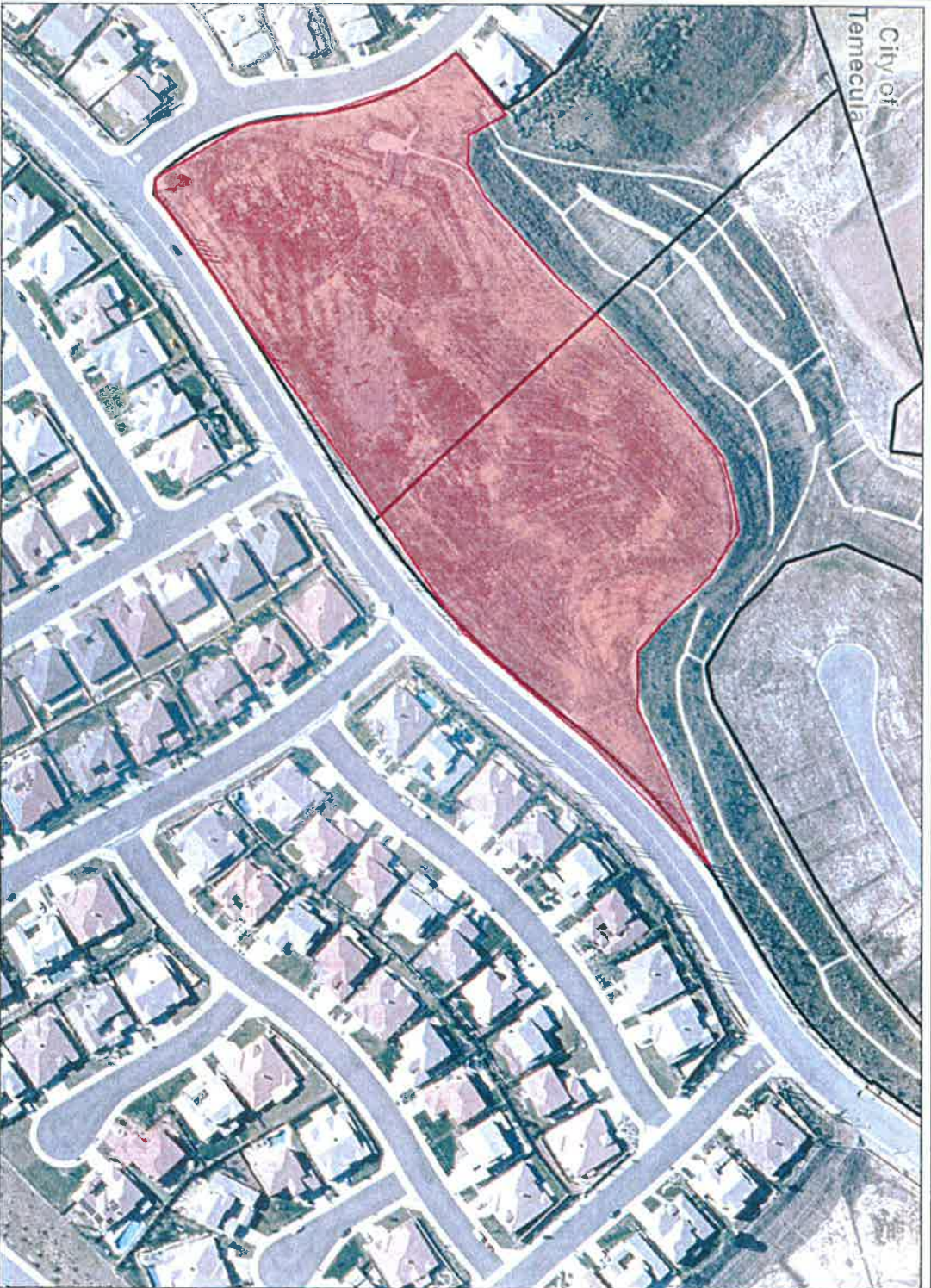
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CSA 143 Galleron Park



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-  Cities

Notes

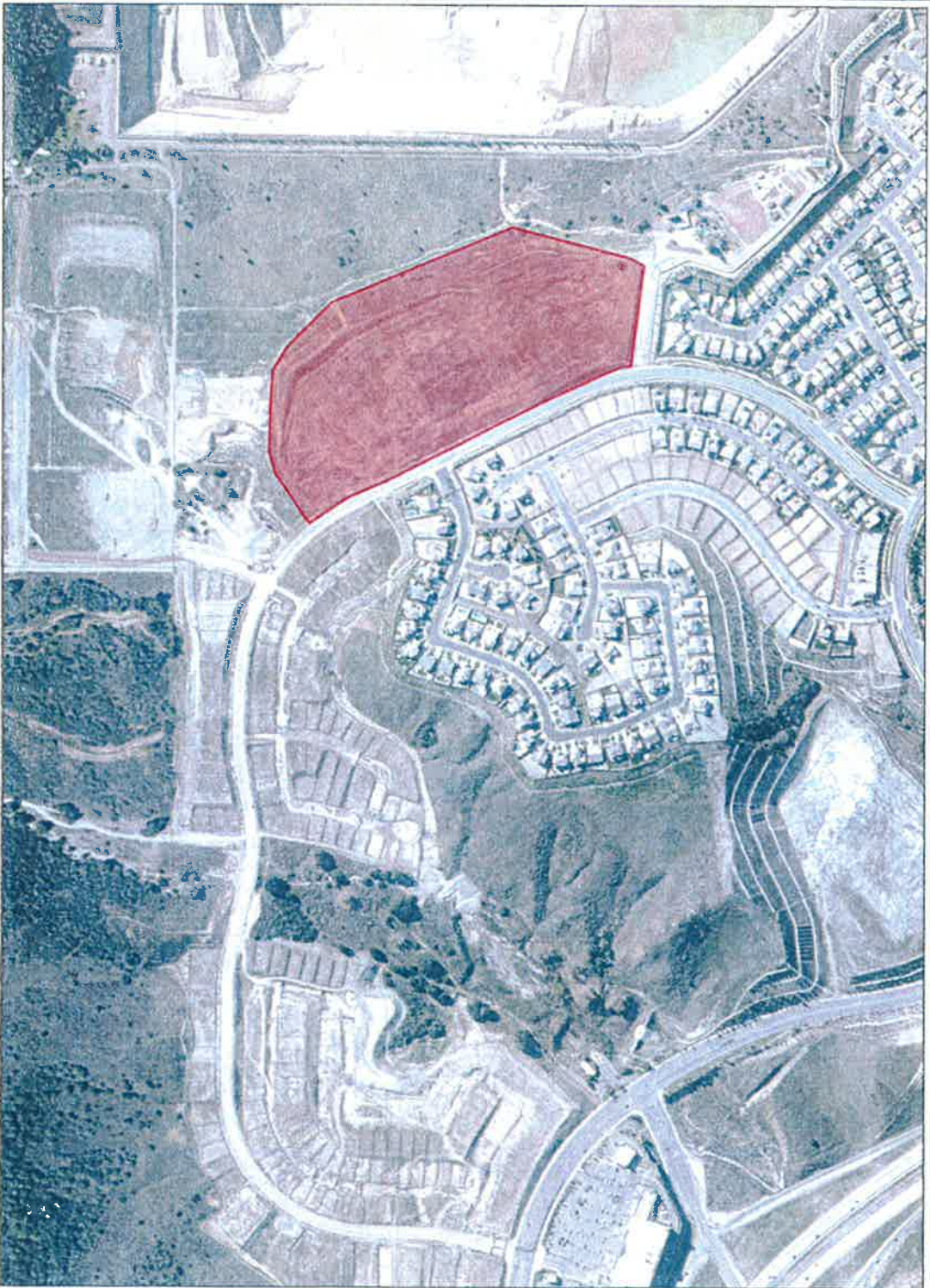
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CSA 152 Deleo Regional Sports Park



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-  City Boundaries
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Notes

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CSA 152 Coral Canyon Park



Legend

-  City Boundaries
-  Cities

Notes

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Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on. 9/25/16 Date KB Initial

NOTICE OF EXEMPTION

August 9, 2016

Project Name: County of Riverside, Economic Development Agency (EDA) Amendment to Landscape Maintenance Agreement with Excel Landscape, Inc. for Additional Park Areas within CSAs 85, 126, 134, 143, and 152

Project Number: ED9143010

Project Location: County of Riverside, CSAs 85, 126, 134, 143, and 152 (See Attached Exhibit)

Description of Project: On December 8, 2015 Excel Landscape, Inc. was awarded the landscape maintenance services for all CSA landscaped areas. As of July 1, 2016, operations and maintenance responsibilities for CSA Parks was returned to CSA Administration. The County and Excel Landscape, Inc. have agreed to amend the existing Agreement to include the addition of CSA Parks, which comprises approximately 11.98 million additional square feet of landscaped area. The Amendment includes Park Areas within CSAs 85, 126, 134, 143, and 152 and extends the term of the Agreement for five years with two additional one-year extension options. The Amendment to the Landscape Maintenance Services Agreement to extend the term for five years and include Park Areas within CSAs 85, 126, 134, 143, and 152 is identified as the proposed Project under the California Environmental Quality Act (CEQA). The Amendment to the Agreement includes landscape maintenance at existing County facilities. No expansion of an existing use will occur. No additional direct or indirect physical environmental impacts are anticipated from the provision of landscape maintenance services identified in the Amendment to the Landscape Maintenance Services Agreement.

Name of Public Agency Approving Project: County of Riverside, Economic Development Agency

Name of Person or Agency Carrying Out Project: County of Riverside, Economic Development Agency and Excel Landscape, Inc.

Exempt Status: State CEQA Guidelines, Section 15301, Class 1, Existing Facilities Exemption; Section 15061(b) (3), General Rule or "Common Sense" Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061 and 15300 to 15301.

Reasons Why Project is Exempt: The proposed Project is categorically exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The Project will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The Project will not cause an impact to an environmental resource of hazardous or critical concern nor would the Project include a reasonable possibility of having a significant effect on the environment due to unusual circumstances. The Project would not result in impacts to scenic highways, hazardous waste sites, historic resources, or other sensitive natural environments, or have a cumulative effect to the environment. No significant environmental impacts are anticipated to occur with the Professional Services Agreement and landscape maintenance services for CSAs 85, 126, 134, 143, and 152.

AUG 23 2016 3-21

- Section 15301 – Class 1 Existing Facilities Exemption:** This categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the previous site’s use. The Project, as proposed, is limited to the Amendment to Landscaping Maintenance Services Agreement which provides a five year extension and identifies additional park areas within CSAs 85, 126, 134, 143, and 152 for which services will be provided. . Subsection (h) of Section 15301 provides an example of the types of projects that fall under the class of existing facilities, which includes “Maintenance of existing landscaping, native growth, and water supply reservoirs.” The Amendment to the Landscape Maintenance Services Agreement applies to existing County facilities and would not require any expansion of public services and facilities; therefore, the Project is exempt as it meets the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.
- Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid*. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the Project may have a significant effect on the environment. The Amendment to the Agreement will provide landscape maintenance services at 13 additional County facilities and will not result in any direct or indirect physical environmental impacts. The use and operation of the existing County facilities will be substantially similar to the existing use and the landscape maintenance services will not create any new environmental impacts to the environment. No alterations and no impacts beyond the ongoing, existing use of the sites would occur. Therefore, in no way, would the Project as proposed have the potential to cause a significant environmental impact and the Project is exempt from further CEQA analysis.

Based upon the identified exemptions above, the County of Riverside, Economic Development Agency hereby concludes that no physical environmental impacts are anticipated to occur and the Project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed:  Date: 8/9/16

Mike Sullivan, Senior Environmental Planner
 County of Riverside, Economic Development Agency

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: CSA Amendment to Landscape Maintenance Services Agreement with Excel Landscape to include Park Areas within CSAs 85, 126, 134, 143, and 152

Accounting String: 537080-24550-914301

DATE: August 9, 2016

AGENCY: Riverside County Economic Development Agency

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO BILL FOR FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Mike Sullivan, Senior Environmental Planner, Economic Development Agency

Signature:  _____

PRESENTED BY: Michael Franklin, CSA Project Manager, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: _____

DATE: _____

RECEIPT # (S) _____



Date: August 9, 2016

To: Mary Ann Meyer, Office of the County Clerk

From: Mike Sullivan, Senior Environmental Planner, Project Management Office

Subject: County of Riverside Economic Development Agency Project
CSA Amendment to Landscape Services Agreement with Excel Landscape to Include Additional Park Areas within CSAs 85, 126, 134, 143, and 152

The Riverside County's Economic Development Agency's Project Management Office is requesting that you post the attached Notice of Exemption. Attached you will find an authorization to bill by journal voucher for your posting fee.

After posting, please return the document to:

Mail Stop #1330

Attention: Mike Sullivan, Senior Environmental Planner,

Economic Development Agency,

3403 10th Street, Suite 400, Riverside, CA 92501

If you have any questions, please contact Mike Sullivan at 955-8009.

Attachment

cc: file