

Agenda Report

May 16, 2022

TO: Honorable Mayor and City Council

FROM: Water and Power Department

SUBJECT: CONTRACT AWARD TO MARIPOSA TREE MANAGEMENT, INC. TO PROVIDE BRUSH CLEARANCE SERVICES FOR THE WATER AND POWER DEPARTMENT

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities) and 15304 (Minor Alteration to Land) and that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances; and
2. Accept the bid dated January 11, 2022, submitted by Mariposa Tree Management, Inc. in response to Specification WD-21-13 to provide brush clearance services; reject all other bids received; and authorize the City Manager to enter into a contract with Mariposa Tree Management, Inc. in an amount not to exceed \$270,600 for five years, whichever comes first, which includes the base contract amount of \$246,000 and a contingency of \$24,600, to provide for any necessary change orders.

BACKGROUND:

Pasadena Water and Power ("PWP") is the owner of the property located in the Arroyo Seco Canyon. As mandated by the Los Angeles County Fire Department pursuant to Title 32, Fire Code, PWP is responsible for clearing the brushes on City owned properties, adjacent to neighboring properties and structures. This contract will provide brush clearance services twice per year for PWP-owned properties adjacent to La Canada Flintridge and Altadena.

Brush clearance services includes the removal of overgrown vegetation and non-native plants, clearing of debris from trails and roads, and abatement of litter and debris within 100 feet of any structure. The work must be completed before May 1st of each year as a fire prevention measure and is vital to the safety of the public and private property.

PWP performs this service twice each year to better manage vegetation growth and allow for easier access for clearing.

The Notice Inviting Bids for Specification WD-21-13 was advertised in the Pasadena Journal and posted online through Planet Bids on December 9, 2021. Prior to advertising the specification, staff emailed Pasadena businesses on November 14, 2021, to notify vendors of the bid opportunity and offer a one-on-one meeting in support of the bidding for Specification WD-21-13. Two vendors responded to staff's offer for a meeting. The electronic posting generated notices to 614 vendors, including 43 local vendors. Thirty vendors, of which two were local, downloaded and received Specification WD-21-13 from PlanetBids. Four contractors, of which one was local, attended the mandatory pre-bid meeting on December 20, 2021. Three responsive bids, of which none were local, were received and opened on January 17, 2022.

The results of the bids were as follows:

Bidders	Office Location	Price for 1 Year	Price for 5 years
Mariposa Tree Management, Inc.	Irwindale, CA	\$49,200	\$246,000
International Environmental Corporation	Canyon Country, CA	\$119,950	\$599,750
National Wildfire Protection Service	Lancaster, CA	\$1,105,000	\$5,525,000

Engineer's Estimate \$65,000 annually

On January 24, 2022, National Wildfire Protection Services submitted a protest letter for bid results on the allegation that Specification WD-21-13 was not clear on the duration of the contract. Furthermore, National Wildfire Protection Services protested that the two lowest bids do not meet the prevailing wage requirements identified in the specification.

The protest was reviewed and a determination was made. Furthermore, PWP contacted the California Department of Industrial Relations ("DIR") and requested confirmation of the labor classifications included in the Specification. Upon receiving DIR's determination and discussion with Mariposa Tree Management on January 31, 2022, it was determined that Mariposa Tree Management's bid does comply with the prevailing wage requirements. The protest was denied.

Mariposa Tree Management, Inc. was the lowest responsive and responsible bidder and complied in all respects with the requirements of the Specification. Mariposa Tree Management, Inc. possesses a valid and current California State Contractors License.

The proposed contract complies with Competitive Bidding and Purchasing Ordinance P.M.C. 4.08 and the rules and regulations promulgated thereunder. The project was bid as a prevailing wage project and workers employed will be paid the general prevailing rate of per diem wages as determined by the California Director of Industrial Relations. The project will meet the requirements of prevailing wage law under California Labor Code Sections 1720 through 1861 and Title 8 of the California Code of Regulations.

It is recommended that the City Council award a contract to Mariposa Tree Management, Inc. in an amount not to exceed \$270,600 for five years, whichever comes first which includes the base contract amount of \$246,000 and a contingency of \$24,600, to provide for any necessary change orders. The recommended contractor does not have any existing or past contracts with the City of Pasadena; however, Mariposa Tree Management, Inc. and Mariposa Landscapes, Inc. are different branches of the same company. Since 2016, the City has awarded Mariposa Landscapes, Inc. 10 contracts, collectively valued at approximately \$1,306,037, one of which is currently active.

COUNCIL POLICY CONSIDERATION:

This contract is consistent with the City Council's strategic goals to improve, maintain, and enhance public facilities and infrastructure, support and promote the quality of life and local economy, and ensure public safety.

ENVIRONMENTAL ANALYSIS:

This action is categorically exempt under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15301 (Class 1 - Existing Facilities) and 15304 (Class 4 – Minor Alteration to Land). The Class 1 categorical exemption covers the operation, repair, maintenance, permitting, leasing, licensing, and minor alteration of existing public or private structures, facilities, and mechanical equipment involving negligible or no expansion of use. Section 15301 Part (h) specifically notes that this categorical exemption applies to, "Maintenance of existing landscaping, native growth, and water supply reservoirs (excluding the use of pesticides, as defined in Section 12753, Division 7, Chapter 2, Food and Agricultural Code)". The subject brush clearance is necessary to maintain the City's existing property in accordance with Los Angeles County Fire Department mandates, and would result in no expansion of use. Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Fire fuel management activities are specifically included in this categorical exemption.

FISCAL IMPACT:

The total cost of this action will be \$270,600 over five years, which includes the base contract amount of \$246,000 and a contingency of \$24,600, to provide for any necessary change orders. Funding for this action will be addressed by the utilization of current and future budgeted appropriations in the Water Operating Fund 402 (Account No. 49507070-811400). It is anticipated that \$49,200 will be spent during Fiscal Year 2023. The required brush clearance prior to May 1, 2022 was recently completed. There is no anticipated impact to other operational programs or capital projects as a result of this action.


The following table presents the contract summary:

Contract Base Cost	\$246,000
10% Contingency	\$ 24,600
Total Fiscal Impact	\$270,600


Respectfully submitted,


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