

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Patrick Thomas, Director of Public Works/City Engineer

DATE: June 13, 2023

SUBJECT: Approve Third Amendment to the Minor Maintenance Agreement for Landscape Maintenance Services with Nieves Landscape, Inc.

PREPARED BY: Julie Tarrant, Principal Management Analyst
Stacey Biddle, Management Assistant

RECOMMENDATION: That the City Council approve the third amendment to the minor maintenance agreement for landscape maintenance services with Nieves Landscape, Inc., in the amount of \$2,836,584 for fiscal year 2023-24, and approve contingency for extra work in the amount of \$567,316.80, which is 20% of the FY 2023-24 agreement amount.

BACKGROUND: On April 27, 2021, City Council approved an annual agreement with Nieves Landscape, Inc. for landscape maintenance services at city facilities, medians, parks, trails, and slopes. On August 10, 2021, the City approved contingency for extra work, and on October 26, 2021, City Council approved the First Amendment to the agreement to add landscape maintenance services at nine (9) park sites, including city sports parks, various baseball fields and tennis courts located at seven school sites throughout the city, and the perimeter landscaping at the Community Recreation Center. On May 24, 2022, City Council approved the Second Amendment to extend the term to June 30, 2023, and increase payment in the amount of \$2,748,693.48, and on January 24, 2023, City Council approved additional contingency for \$150,000.

The original Agreement allows for annual price adjustments at the beginning of each fiscal year in accordance with the changes in the Consumer Price Index (CPI) but may not to exceed 3% of the previous fiscal year's total agreement amount. The Third Amendment will extend the term to June 30, 2024, and increase payment in the amount of \$2,836,584.00, for continued landscape maintenance services for Fiscal Year 2023-24 and allow for a contingency to perform extra work as needed and extend the term of the agreement to June 30, 2024.

Nieves Landscape, Inc., has provided exceptional service and shown they are capable and responsive to the needs of the city to provide a variety of landscape maintenance services and offer an efficient and economical means of completing the work.

FISCAL IMPACT: Adequate funds will be available upon City Council approval of the Annual Operating Budget (AOB) for Fiscal Year 2023-2024.

ATTACHMENTS: Third Amendment