

**APPROVED**

REPORT OF GENERAL MANAGER

NO. 12-097

DATE April 4, 2012

**APR 04 2012**  
**BOARD OF RECREATION**  
**and PARK COMMISSIONERS**

C.D. Various

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: MASTER AGREEMENT FOR BRUSH CLEARANCE CONTRACTORS

R. Adams	_____	K. Regan	_____
H. Fujita	_____	*M. Shull	<u><i>[Signature]</i></u>
V. Israel	_____	N. Williams	_____

*[Signature]*  
General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve the Master Agreement for brush clearance contractors, to be entered into with the list (Attachment A) of pre-approved contractors, substantially in the form on file in the Board Office, subject to the review and approval of the Mayor and the City Attorney as to form;
2. Find, in accordance with Charter Section 1022, the Department does not have personnel available in its employ with the necessary expertise to perform these services in a timely manner, and that it is more feasible and economical, as well as in the Department's best interest, to secure several personal service contacts to provide these services on an as needed basis;
3. Find, pursuant to Charter Section 371(e)(2), that the services to be provided by the brush clearance contractors are professional and special services of a temporary and occasional character for which competitive bidding is not practicable or advantageous;
4. Direct the Board Secretary to transmit the proposed Master Agreement to the Mayor in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review and approval as to form; and,
5. Authorize the General Manager to execute the Agreement for a one-year term with provisions to extend the term for two additional years, exercisable in one-year increments, with each approved Brush Clearance contractor upon receipt of necessary approvals.

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### SUMMARY:

The Department of Recreation and Parks (Department) has the responsibility for brush clearance for all Department properties where the threat of catastrophic property loss or physical injury due to brush or wildfires can occur at any time. The Los Angeles Municipal Code (LAMC) Sec. 57.2 1.07 states that the Department has the responsibility to abate certain hazardous public nuisances that would include, but not be limited to, brush clearance, weed and/or refuse abatement, tree trimming or removal, within 200 feet of private residences and 10 feet from roadways. In order to comply with the LAMC in a timely fashion, the Department requires the services of pre-qualified brush clearance contractors, each of whom must execute an agreement with the Department.

Each year, the Department puts out to bid brush clearance service packages for approximately 288 parcels of varying sizes. The Los Angeles City Fire Department's (LAFD) Brush Clearance Unit pre-qualified and contracted with a group of brush clearance contractors to provide the work for the Department. The LAFD selected this group of contractors through a Request for Qualification (RFQ) process and has received LAFD training and certification. Contractors must attend mandatory orientation sessions presented by the Department and the LAFD outlining the City's and Department's Brush Clearance policies and compliance needs. All Contractors must comply with the City's Standard Provisions for Contracts and the Department's Brush Clearance policies. The majority of the contractors have expert staff to perform the more hazardous projects. Upon contract execution, contractors must possess a C-27 license from the Contractors State License Board (CSLB) if the contractor is interested in clearing brush. A CSLB C-61 license with a D-49 designation is required if the contractor is interested in trimming trees above fifteen (15) feet. The list of pre-approved contractors is shown on Attachment A.

The Department will compile several bid packages consisting of 30 to 50 hours of brush clearance each. The packages may include multiple parcels to be abated. Work will be awarded to the lowest responsive bidder on the approved list. When the bid package is awarded, the contractor becomes responsible, pursuant to the terms of the master agreement, for completing the work within thirteen (13) calendar days. Since time is of the essence for this work, contractors who fail to meet the deadlines will be assessed liquidated damages in the amount of \$200 per day for any package awarded up to \$2,000 and a rate of ten-(10) percent of the awarded amount per day for any packages over \$2,000. The contract will be for a one-year term with provisions to extend the term for two additional years, exercisable in one-year increments, with the same terms and conditions provided that funds are available, at the discretion of the General Manager.

In the FY 2011-2012 budget, \$1,485,200 was provided to fund these contracts (Brush Clearance Account 3040). The Department has a balance of approximately \$1,326,589 to initiate the brush clearing season prior to July 2012 when the new budget for FY 2012-2013 becomes available. The Department anticipates the FY 2012-2013 budget will allocate \$1,485,200 for brush clearance. It is estimated that \$1,769,500 will be spent during the 2012 summer season, and the remainder to be

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used next spring for the 2013 fire season.

Staff has determined that the execution of the Master Agreement to conduct mandated brush clearance and weed abatement activities at various parks for the purpose of fire protection is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 1(8) of the City CEQA Guidelines.

FISCAL IMPACT STATEMENT:

The Department anticipates the FY 2012-2013 budget will allocate \$1,485,200 for brush clearance in Account 3040. That amount plus the current balance of \$1,326,589 will be sufficient to meet the Department's required clearance responsibilities for the FY 2012-2013 seasons.

This Report was prepared by Alexa Esparza, Senior Management Analyst, Grants Administration and Peggy Kelly, Senior Park Maintenance Supervisor.

DEPARTMENT OF RECREATION AND PARKS  
FISCAL YEAR 2012-2013  
BRUSH CLEARANCE CONTRACTORS

1. AVALON LANDSCAPE, INC. – LUIS CADIZ
2. BRIAN WALSH BRUSH CLEARANCE – BRIAN WALSH
3. C 3, INC. – ALBERT J. SMITH
4. EQUERY, INC. DBA: ECCONO TREE CARE – ORI ZARI
5. GREEN LEAF G T H INC. – YOSEJ SHALEV
6. INTERNATIONAL ENVIRONMENTAL CORPORATION – HENRY CESPEDES
7. MARIPOSA LANDSCAPES, INC. – TERRY ORIEGA
8. OAKRIDGE LANDSCAPE, INC. – JEFFREY MYERS
9. PAN AMERICAN BRUSH CLEARANCE, INC. – EDDIE MARTINEZ
10. PEPO WEED ABATEMENT, INC. – MIKE PEPO
11. SILENT FIRE, INC. – COURTNEY KITE
12. SR LANDSCAPE – STEVE W. RAPP
13. THRIFTY TREE SERVICE, INC. – STEVE W. RAPP
14. UNDERWOOD LANDSCAPE – MICHAEL R. UNDERWOOD
15. VAN GOGH LANDSCAPING LLC – TONY TAMAYO
16. WASTE UNLIMITED, INC. – SHANE FONE