

APPROVED
JAN 22 2014

REPORT OF GENERAL MANAGER

NO. 14-014

DATE January 22, 2014

BOARD OF RECREATION
& PARK COMMISSIONERS

C.D. 7

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: HANSEN DAM RECREATION AREA – BROWN-HEADED COWBIRD TRAPPING ENVIRONMENTAL MITIGATION SERVICES – AWARD OF PERSONAL SERVICES CONTRACT TO JANE C. GRIFFITH DBA GRIFFITH WILDLIFE BIOLOGY

R. Adams	_____	V. Israel	_____
R. Barajas	_____	K. Regan	_____
H. Fujita	_____	*N. Williams	<u>new</u>


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Personal Services Contract, substantially in the form on file in the Board Office, between the City of Los Angeles Department of Recreation and Parks (Department) and Jane C. Griffith DBA Griffith Wildlife Biology, a sole proprietor, for the required environmental mitigation service of cowbird trapping in the Hansen Dam Recreation Area, for one (1) year with two one-year options to extend at the sole discretion of the General Manager, not-to-exceed thirty-six (36) months, in the amounts of thirteen thousand two hundred fifty-six dollars (\$13,256.00) for services that have been provided in 2013, thirteen thousand four hundred twenty-eight dollars (\$13,428.00) should services be provided in 2014, thirteen thousand six hundred three dollars (\$13,603.00) should services be provided in 2015, with the total contract amount not to exceed forty thousand two hundred eighty-seven dollars (\$40,287.00) should the contract be extended subsequent years, subject to the approval of the Mayor, and of the City Attorney as to form;
2. Find, in accordance with Charter Section 1022, that the Department does not have personnel available in its employ, with sufficient expertise to undertake these specialized professional tasks in a timely manner, and that these services can be performed more feasibly by a qualified independent contractor than by a City employee;
3. Find, pursuant to Charter Section 371 (e)(2), that the services to be provided are

REPORT OF GENERAL MANAGER

PG. 2

NO. 14-014

professional, expert, technical and special services of a temporary and occasional character for which competitive bidding is not practicable or advantageous and the Department does not currently have employees with the expertise to perform such services;

4. Find pursuant to Charter Section 371(e)(10), that the use of competitive bidding would be impossible as the contractor is the sole source for these services which are a required implement in the environmental migration measures required, in 1994, by the Army Corp of Engineers for the Hansen Dam Recreational lake and the total compensation to be provided to contractor is for a small amount not to exceed fifteen thousand (\$15,000.00) per year, so the cost of soliciting bids would be unwarranted and wasteful;
5. Direct the Board Secretary to transmit forthwith the proposed Personal Services Contract, concurrently to the Mayor in accordance with Executive Directive No. 3 and to the City Attorney for approval as to form; and,
6. Authorize the Board President and Secretary to execute forthwith the Personal Services Contract upon receipt of the necessary approvals.

SUMMARY:

The Department initiated an environmental mitigation commitment to control the brown-headed cowbird at Hansen Dam Recreation Area in 1994. For the past eighteen (18) years this mitigation service has been provided by Griffith Wildlife Biology (GWB), the only contracting firm permitted by the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS) to perform cowbird control work in the Hansen Dam area.

Cowbirds, about the size of a red-wing blackbird are brood parasites, for they never make their own nests or raise their own young. Instead, cowbirds lay their eggs in the nests of other birds (hosts), who then raise the cowbird chicks as their own at the expense of their own young. This parasitism has contributed to the serious reduction in the population of riparian birds including the vireo, the flycatcher and the gnatcatcher, located in the Hansen Dam area and other riparian breeding areas, to the point that they are considered endangered.

Jane C. Griffith is the CDFG and USFWS acknowledged expert on cowbird trapping as she authored the protocol used by other environmental agencies and contractors. In addition to performing as the project manager and report author for the Departments required mitigation, Ms. Griffith is also a research biologist, with twenty-eight (28) years of experience in endangered and threatened species research and recovery and is recognized as an authority in ornithology particularly with regard to the least Bell's vireo, southwestern willow flycatcher, California gnatcatcher and the brown-headed cowbird. She is also a published author on the

REPORT OF GENERAL MANAGER

PG. 3

NO. 14-014

subject of cowbirds and her protocol for brown-headed cowbird control was prepared for and has been in use by the USFWS, CDFG and GWB for over twenty (20) years. Her brown-headed cowbird trapping protocol also lists thirty-three (33) non-target species of birds that have been captured and released during the trapping season.

Payment to GWB for 2012 services was approved in January 2013 (Board Report No. 13-012). That report also explained the required mitigation of the parasitic brown-headed cowbird and the history of GWB's services to the Department as a subcontractor working under an as-needed environmental contractor to mitigate the cowbirds effect as required by the Department's lease with the Army Corp of Engineers. This Board Report requests that the Board approve the proposed contract for one (1) year, covering the 2013 services, with an additional two (2) one (1) year options to extend at the sole discretion of the General Manager, for a total term of three (3) years.

CHARTER SECTION 1022 DETERMINATION

On November 20, 2013, the Personnel Department completed a Charter Section 1022 review (Attachment A) and determined that there are no City employees that can perform the work proposed for the contract, and the Department confirms that none of its current staff possess the necessary expertise to perform the annual cowbird trapping services required.

Staff recommends approval of the one (1) year contract, (with two (2) one (1) year options to extend), which includes ratification of and payment for the services provided by GWB in 2013.

FISCAL IMPACT STATEMENT:

Funding for this contract is provided in Fund 302, Department 88, and Account 003040.

This report was prepared by Nancy Jeffers, Management Analyst II, Service Contracts Group, Finance Division.

PERSONNEL DEPARTMENT CONTRACT REVIEW REPORT

1. Requesting Department: Recreation and Parks

2. Contacts:

Department: Nancy Jeffers Phone No. 213-202-4352 Fax No. 818-243-6451

CAO: Jay Shin Phone No. 213-473-7559 Fax No. 213-473-7514

3. Work to be performed:

The Department is seeking another contract with Griffith Wildlife Biology (GWB) to provide annual trapping of a species of bird known as "Cowbirds" at the Hansen Dam recreational lake area. The services would be carried out during one 90-day period each year during the 3-year contract. In 2013, the service period was April 1 through June 29. The contractor would provide all materials including: traps; live decoys; information signs for the traps; a toolbox for trap repairs in the field; a portable cage for transporting decoys; daily check sheets to tally trap findings; and copies of the GWB Protocol for detailed trap servicing. The contractor's tasks include: assembly and placement of two traps; daily servicing of the traps to count and remove birds; trap repair when required; transmittal of daily check sheets; project management quality checks; trap servicing with a trap technician; trap cleaning; placement of shade, water and seed; wing clipping; providing perch(s); identification of bird species; and providing a final report, after trap removal, to the Department.

Is this a contract renewal? Yes No

4. Proposed length of contract: 3 years

Start Date: April 1, 2013

6. Proposed cost of contract (if known): \$40,287

7. Name of proposed contractor: Griffith Wildlife Biology

8. Unique or special qualifications required to perform the work:

The contractor must be an authority in ornithology, particularly with regard to the Brown-headed Cowbird and the Least Bell's Vireo species. The contractor should be familiar with the 33 non-targeted species of birds that could be captured in the traps. The contractor must hold a California Department of Fish and Wildlife permit to perform this work in the Hansen Dam area.

9. Are there City employees that can perform the work being proposed for contracting?

Yes No

If yes,

a. Which class(es) and Department(s):

b. Is there sufficient Department staff available to perform the work? Yes No

c. Is there a current eligible list for the class(es)? Yes No Expiration Date

d. Estimated time to fill position(s) through CSC process?

e. Can the requesting department continue to employ staff hired for the project after project completion? Yes No

f. Are there City employees currently performing the work? Yes No

10. Findings

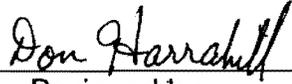
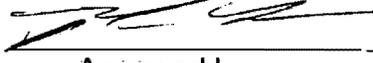
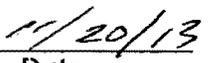
- City employees DO NOT have the expertise to perform the work
- City employees DO have the expertise to perform work. (Please see summary below.)

Check if applicable (explanation attached) and send to CAO for further analysis

- Project of limited duration would have to layoff staff at end of project
- Time constraints require immediate staffing of project
- Work assignment exceeds staffing availability

SUMMARY:

The Department seeks a new contract with Griffith Wildlife Biology (GWB) to continue its Cowbird trapping services at the Hansen Dam recreational lake area. The Cowbird mitigation is required in perpetuity per the environmental mitigation commitment made by the City in 1994 to the Army Corp of Engineers. The Cowbird mitigation is part of the Hansen Flood Control Lease No. DACW09-1-69-45, which was extended in 2002 for 25 years. The Department indicates that GWB has performed this work since 1996, and the company holds the only permit issued by the California Department of Fish and Wildlife to perform Cowbird control work in the Hansen Dam area. There are no City classifications that are required to have the necessary state permit to perform this work. In addition, the work will only be performed during one 90-day period in each of the contract's 3 years.

			
Submitted by	Reviewed by	Approved by	Date
Elizabeth A. Terry	Don Harrahill	Raul Lemus	
Sr. Personnel Analyst I	Sr. Personnel Analyst II	Chief Personnel Analyst	

Attachment