



**PURCHASING ITEM  
FOR  
COUNCIL AGENDA  
CS12-127**

**1. Agenda Item Number:**

14

**2. Council Meeting Date:**  
March 8, 2012

**TO: MAYOR & COUNCIL**

**3. Date Prepared:** February 21, 2012

**THROUGH: CITY MANAGER**

**4. Requesting Department:** Community Services

**5. SUBJECT:** Amend Agreement No. CS9-988-2708 with Somerset Landscape Maintenance for Parks and Facilities Landscape Maintenance Service.

**6. RECOMMENDATION:** Recommend retroactively amending and extending Agreement No. CS9-988-2708 with Somerset Landscape Maintenance for Parks and Facilities Landscape Maintenance Service.

**7. HISTORICAL BACKGROUND/DISCUSSION:** This Agreement includes the landscape maintenance of various city facilities administered by the Parks Division. They include all Fire Stations and training facilities, Desert Breeze Police Substation, Price House and Paseo Vista Recreation Area's right-of-way, City pools, special use paths (Paseo & Ashley Park) and Chandler Park-N-Ride.

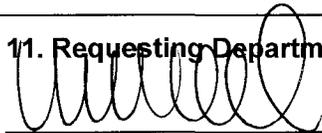
**8. EVALUATION PROCESS:** In May 2009, Council approved a two-year agreement with Somerset Landscape Maintenance for landscape maintenance services at various City parks and facilities. The initial term of the agreement was June 1, 2009 – May 31, 2011. The City reserved the right to extend the agreement for up to three one year terms. Last spring, it was determined by City staff that this was a contract we could combine with another landscape contract expiring around the same time with the hopes of receiving better pricing and so the contract was not renewed. Due to the time it took to award the new contract, services from Somerset were continued for three months past the contract period. In addition to regular maintenance of the sites included in the contract, the annual trimming of 338 palm trees and pre-emergent herbicide application in the parks occurred during that time period. The result is the need to retroactively extend the agreement to request additional funds in the amount of \$45,589.15 to pay Somerset for services performed between May 31, 2011 and August 31, 2011.

**9. FINANCIAL IMPLICATIONS:** Funds for this service will be from the General Fund, Parks Maintenance for Buildings and Grounds Repair and Maintenance, account number 101.4530.0000.5410 in the amount of \$45,589.15.

**10. PROPOSED MOTION:** Move to retroactively amend and extend Agreement No. CS9-988-2708 with Somerset Landscape Maintenance for Parks and Facilities Landscape Maintenance Service and authorize payment of \$45,589.15 for services performed between May 31, 2011 and August 31, 2011.

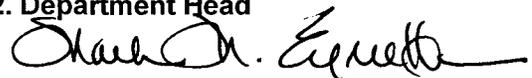
**APPROVALS**

**11. Requesting Department**



Mickey Ohland, Park Develop & Operations Manager

**12. Department Head**



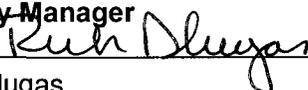
Mark M. Eynatten, Community Services Director

**13. Procurement Officer**



Sharon Brause, CPPB, CPCP

**14. City Manager**



Rich Dlugas

**AMENDMENT NUMBER ONE  
TO AGREEMENT BETWEEN THE CITY OF CHANDLER  
and  
SOMERSET LANDSCAPE MAINTENANCE INC.  
AGREEMENT NO. CS9-988-2708**

This Amendment #1 to that certain Agreement between the City of Chandler (hereinafter "CITY") and Somerset Landscape Maintenance, Inc. (hereinafter "CONTRACTOR") for landscape maintenance services at various City parks and facilities dated May 19, 2009 (hereinafter "AGREEMENT").

Whereas, in May 2009, the Chandler City Council approved a two-year AGREEMENT with Contractor for landscape maintenance services at various City parks and facilities; and

Whereas, the maintenance responsibilities included in this included the annual trimming of 338 palm trees as well as applying pre-emergent to our parks; and

Whereas, the initial term of the AGREEMENT was June 1, 2009 through May 31, 2011; and

Whereas, CITY reserved the right to extend the AGREEMENT for up to three one year terms; and

Whereas, it was determined by City staff that this was a contract with another landscape contract expiring around the same time would likely result in better pricing for the services needed, the contract was not renewed, and

Whereas, due to the fact that the other contract was not awarded until August 18, 2011, CONTRACTOR continued to provide services to the City through August 2011; and

Whereas, the AGREEMENT needs to be retroactively extended and amended to authorize payment for the services rendered between May 31, 2011, and August 31, 2011.

NOW THEREFORE, the parties agree as follows:

1. This AGREEMENT is retroactively extended for the period from May 31, 2011 through August 31, 2011.
2. CITY shall pay CONTRACTOR Forty Five Thousand Five Hundred Eighty Nine Dollars and Fifteen Cents (\$45,589.15) for the services rendered during the period set forth in Section 1 of this Amendment.

3. All other terms and conditions of the above referenced AGREEMENT shall remain unchanged and in full force and effect. All terms and conditions in the original AGREEMENT not specifically amended herein shall be incorporated by reference in its entirety and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

CITY OF CHANDLER:

Somerset Landscape Maintenance, Inc.

\_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
Title: President

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ATTEST: (If corporation)  
\_\_\_\_\_  
Secretary

ATTEST:  
\_\_\_\_\_  
City Clerk

WITNESS: (If individual or Partnership)  
\_\_\_\_\_  
Amy Lemmon

[SEAL]