


CITY COUNCIL ACTION REQUEST

Department(s): Finance	CEQA: Citywide Exemption, File No. PP18-600, CEQA Guidelines Section 15301, Citywide Landscape Maintenance	Coordination: DOT, CAO, and CMO - Budget Office	Dept. Approval: /s/ Julia H. Cooper
Council District(s): Citywide			CMO Approval:  6/9/2022

SUBJECT: AMEND PURCHASE ORDER FOR GREEN INFRASTRUCTURE LANDSCAPE MAINTENANCE SERVICES

RECOMMENDATION:

Adopt a resolution authorizing the City Manager to take the following actions on OP 61055 with New Image Landscape Company (Fremont, CA) for green infrastructure landscape maintenance services:

1. Retroactively approve the issuance of the purchase order from July 1, 2021 through June 30, 2022 for a maximum compensation not-to-exceed \$290,000; and
2. Extend the term from June 30, 2022 to December 31, 2022; and
3. Increase compensation by \$150,000 for a revised maximum compensation not-to-exceed \$440,000.

Desired Outcome: To ensure that landscaped areas are maintained and kept in compliance with regulatory measures.

BASIS FOR RECOMMENDATION:

Department of Transportation manages the routine maintenance of implemented Green Stormwater Infrastructure to ensure compliance with the National Pollution Discharge Elimination System and the Municipal Regional Permit, a regulatory program issued by the San Francisco Bay Regional Water Quality Control Board. A requirement of the Municipal Regional Permit is Provision C.3, which controls the flow of stormwater and pollutants from development sites. Provision C.3 includes Low Impact Developments, which are treatment measures that emphasize the use of Green Stormwater Infrastructure such as rain gardens, detention basins, and permeable pavements for stormwater capture. For Low Impact Developments in the public right of way, this means ensuring flow that is devoid of blockages while ensuring that Green Stormwater Infrastructure remains healthy, well vegetated, and free of weeds. Default on Low Impact Developments maintenance could cause loss of regulatory compliance.

On March 5, 2018, under City Manager authority, the Department of Finance authorized the execution of annual purchase orders to New Image Landscape as a result of a competitive solicitation, with the last option expiration date of December 31, 2021. An interim purchase order was also issued under City Manager authority to continue services for the period July 1, 2021 through June 30, 2022 that will require retroactive approval to extend and add funds.

With the passing of Senate Bill 1383, California instituted regulations that impact the environment and lay the groundwork for the procurement of recycled organic products, such as compost, mulch, and other materials used in landscaping services. City staff are reviewing how the regulations will affect Citywide processes, operations, and bidding requirements. Preparation of a Citywide solicitation for landscaping services is on hold until staff develops appropriate specifications to ensure Senate Bill 1383 compliance. Approval of this recommendation will ensure the City continues to receive these essential services with minimal impact to operations.

Climate Smart San José: The recommendation in this memorandum has no effect on Climate Smart San José energy, water, or mobility goals.

Commission Recommendation/Input: There is no commission recommendation or input associated with this action.

This City Council item is consistent with the City’s 2021-2022 Adopted Operating Budget City Areas Delivery Framework: “To provide the community with safe, secure, and efficient surface and air transportation systems that support San José’s livability and economic vitality.”

COST AND FUNDING SOURCE:

Fund #	Appn #	Appn Name	Total Appn	Amt. for Recommendation	2021-2022 Adopted Operating Budget Page	Last Budget Action (Date, Ord. No)
446	0512	Department of Transportation-Non-Personal/Equip	\$2,726,247	\$150,000	1022	10/19/2021 30682

FOR QUESTIONS CONTACT: Jennifer Cheng, Deputy Director of Finance at Jennifer.Cheng@sanjoseca.gov