



CITY OF INGLEWOOD

OFFICE OF THE CITY MANAGER



DATE: September 19, 2023

TO: Mayor and Council Members

FROM: Public Works Department

SUBJECT: Amendment No. 2 to Landscape Maintenance Agreement for the I-405 Inglewood Landscape Gateway Project

RECOMMENDATION:

It is recommended that the Mayor and Council Members approve Amendment No. 2 to the Landscape Maintenance Agreement (Amendment No. 2) by and between the State of California Department of Transportation (Caltrans) and the City of Inglewood (City) to issue Caltrans Permit No. 07-23-N-LF-1327 as a replacement for the expired Permit No. 07-21-N-LF-3798.

BACKGROUND:

On November 3, 2015, The City and Wow Media, Inc. (WOW) entered into a mutually beneficial Billboard Lease Agreement for the erection of certain electronic digital display billboards within the City of Inglewood. Several of these billboards are located along La Cienega Boulevard, with one such billboard display specifically located across the street from the perimeter fence constructed west of the I-405 Freeway. Although all such billboard displays are operational, WOW has identified several trees located in the approximately 1.76 acres of Caltrans' landscape area between Arbor Vitae Street and Hillcrest Boulevard, east of La Cienega Boulevard and west of the I-405 Freeway, that obstruct the visibility of the digital displays and limit the potential and anticipated City revenue generated by the advertising displays on these billboards.

To mitigate this problem, the City developed the I-405 Inglewood Gateway Landscape Project, CB-20-01 (Project), providing for the removal and replacement of 37 trees with new planting material, additional ground covering, mulch, and a new irrigation system in the area (Landscape Work). However, Caltrans requirements stipulate that any re-landscaping of Caltrans' right-of-way requires the local agency to enter into a standard form agreement entitled "Landscape Maintenance Agreement" (LMA). The City and Caltrans executed an LMA on May 15, 2019, in which Caltrans approved plans submitted by the City for the performance of the Landscape Work within the subject Caltrans' right-of-way (Project). Following the LMA approval, the City initiated the bid process and solicited bids for the Landscape Work and the Project.

The City Clerk's Office received and opened all bid responses on January 22, 2020. However, the City halted all Project activity due to the COVID-19 pandemic. On October 26, 2021, the City Council rejected all bids received on January 22, 2020, for the Landscape Work for the Project and authorized the rebidding of the Landscape Work for the Project. On April 26, 2022, City staff submitted a rebid and advertisement request for the Landscape Work for the Project (CB-22-09)

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to the City Clerk's Office and planetbid.com. On May 25, 2022, all bid proposals received by the City were opened and announced by the City Clerk's Office with the following results:

Vendor	Location	Bid Amount
Marina Landscape, Inc.	Orange, CA	\$446,067.40
Diamond Construction and Design	La Habra, CA	\$464,365.00
Pub Construction, Inc.	Diamond Bar, CA	\$640,032.69

Due to the duration of the COVID-19 pandemic, the LMA expired, and an amendment to the LMA (Amendment No. 1 to LMA) became necessary. The City and Caltrans executed Amendment No. 1 on July 26, 2022, providing for the extension of the term of the LMA. Under Amendment No. 1 to LMA, Caltrans Permit No. 07-21-N-LF-3798 was issued on October 13, 2022, authorizing the performance of the Landscape Work for the Project. However, before the City's award of the contract for the Landscape Work for the Project to Marina Landscape, Inc. (the lowest responsible bidder), Marina Landscape, Inc. informed City staff that they would not be able to enter into a contract with the City to perform the Landscape Work for the Project, due to the inflationary costs of labor, materials, and equipment. As a result, on September 19, 2023, City staff will recommend to the City Council to reject all of the bids received on May 25, 2022, and authorize the rebid of the Landscape Work for the Project.

DISCUSSION:

Due to the expiration of Permit No. 07-21-N-LF-3798 on May 1, 2023, an additional amendment to the LMA (Amendment No. 2 to LMA) between the City and Caltrans is required for Caltrans to issue a replacement permit for the expired Caltrans Permit No. 07-21-N-LF-3798. City staff recommends City Council approval of Amendment No. 2 to the LMA to provide for the performance of the Landscape Work for the Project, as authorized by Caltrans Permit No. 07-23-N-LF-1327.

DESCRIPTION OF ANY ATTACHMENTS:

Attachment No. 1: Amendment No. 2 to Landscape Maintenance Agreement

PREPARED BY:

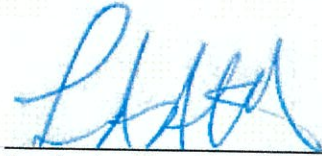
Boytrese Osias, City of Inglewood - Capital Improvement Projects Manager
Rae Aldridge, Management Assistant

COUNCIL PRESENTER:

Louis Atwell, Assistant City Manager/ Public Works Director

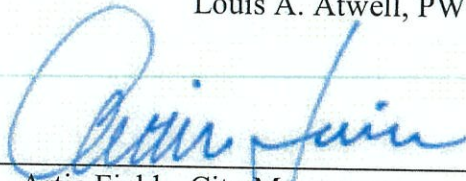
APPROVAL VERIFICATION SHEET

**DEPARTMENT HEAD/
ASSISTANT CITY MANAGER APPROVAL:**



Louis A. Atwell, PW Director/Asst. City Mgr.

CITY MANAGER APPROVAL:



Artie Fields, City Manager

Attachment No. 1

**AMENDMENT NUMBER 2 TO
LANDSCAPE MAINTENANCE AGREEMENT
WITH THE CITY OF INGLEWOOD**

This Amendment (“AMENDMENT No. 2”) is dated _____ day of _____, 20____, and is made to the Landscape Maintenance Agreement with the City of Inglewood dated June 20, 2019 (“AGREEMENT”), and entered into by and between The State of California, acting by and through the Department of Transportation, hereinafter referred to as “STATE” and the CITY of Inglewood; hereinafter referred to as “CITY” and collectively referred to as “PARTIES”.

RECITALS

WHEREAS, the purpose of this AMENDMENT is to issue a new permit number for the LANDSCAPING work as show on Exhibit “A” of the AGREEMENT.

WHEREAS, the parties hereto now desire to amend AGREEMENT as provided herein.

IT IS THEREFORE MUTUALLY AGREED AS FOLLOWS:

1. Existing AGREEMENT is hereby amended by issuing a new permit number as 07-23-N-LF-1327.

IN WITNESS WHEREOF, the PARTIES hereto have set their hands and seals the day and year first above written.

THE CITY OF INGLEWOOD

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

By: _____
JAMES T. BUTTS, JR.
Mayor

TONY TAVARES
Director of Transportation

APPROVED:

By: _____
KANE BALLMER BERKMAN
Special Counsel

By: _____
GODSON OKEREKE
Deputy District Director
Division of Maintenance District 07

By: _____
KENNETH R. CAMPOS
City Attorney