

ITEM 4.10

CITY MANAGER'S REPORT OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING

ITEM: APPROVE CONTRACT CHANGE ORDER NO. 31 WITH DAVID SILVA, DBA SILVA LANDSCAPE FOR LANDSCAPE IRRIGATION SYSTEMS MAINTENANCE SERVICES AND APPROVE BUDGET AMENDMENT

RECOMMENDATION: Adopt Resolution Approving Contract Change Order No. 31 with David Silva, dba Silva Landscape for Landscape Irrigation Systems Maintenance Services and Approve Budget Amendment

SUMMARY:

David Silva, dba Silva Landscape (Silva Landscape) has maintained the landscape and provided minor repairs to irrigation systems for City-owned parks and streetscapes (Landscape) since 2017. City staff currently provides oversight for major repairs to the irrigation systems for the Landscape. As the City continues to accept public landscaping, consolidating all irrigation maintenance into one source will minimize the costs and maximize the results associated with this maintenance.

In response to staff request, Silva Landscape has provided a proposal of \$9,500 per month (\$114,000 annually) to provide all irrigation oversight and repair services previously performed by City staff.

Staff requests that Council adopt a resolution approving Contract Change Order (CCO) No. 31 (Attachment "B") with Silva Landscape to provide the subject services. Sufficient funds for CCO 31 were not allocated in the approved FY 2023-24 budget; therefore, staff also requests City Council approve a budget amendment as outlined in the fiscal impact section.

BACKGROUND:

On September 1, 2017, City Council approved the award of a service contract to Silva Landscape for maintenance of the Landscape and the portion of associated irrigation systems including lateral lines and spray and bubbler heads.

City staff provides ultimate oversight, flow adjustments, and maintenance for the upstream remainder of the irrigation systems, including but not limited to main lines, valves and manifolds, controllers, backflow preventers and booster pumps. These tasks are described in further detail in the Bid Specifications of this contract's Scope of Work in section C. *Specific Park and Streetscape Maintenance Services - 1.1 Irrigation.*

CITY MANAGER'S REPORT **PAGE 2**
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
APPROVE CCO NO. 31 WITH DAVID SILVA, DBA SILVA LANDSCAPE FOR
LANDSCAPE IRRIGATION SYSTEMS MAINTENANCE SERVICES AND APPROVE
BUDGET AMENDMENT

The requested services contemplated by CCO No. 31 were not part of the original bid specification, the contract for which was awarded to Silva Landscape on September 1, 2017 and will expire on June 30, 2024. As the City continues accepting parks and landscape, the need for irrigation maintenance is increasing. Timely and unified preventive maintenance and repair of irrigation components minimizes expenses by optimizing water use and reducing the incidence of replacing dead plant material. As the current structure of these services requires the City's input in conjunction with Silva Landscape, improvements to efficiency of this operation could be achieved by permitting Silva Landscape to maintain the entire irrigation system rather than share this task with the City.

Therefore, City staff requested a proposal from Silva Landscape for maintenance and landscape irrigation services. Silva Landscape provided a quote for the addition to their existing contract of all irrigation maintenance tasks currently performed by City staff in the amount of \$9,500 per month. Details of the proposed services include but not limited to;

- Adjusting the water volume and timing of irrigation
- Maintaining and repairing all automated valve controllers, wiring, valves and manifold assemblies, backflow prevention devices and main lines
- Preventive adjustments to irrigation not included in the weekly action items
- Focus on improving efficiency of irrigation during hot weather months
- Focus on replacement of Calsense irrigation components with City-provided components during cold weather months

Therefore, staff requests City Council adopt a resolution approving CCO No. 31 with Silva Landscape for the provision of Landscape irrigation maintenance services for \$9,500 per month through the end of the existing contract term, June 30, 2024. The services contemplated by CCO No. 31 will be incorporated into the contract specifications for Landscape maintenance the next time this contract is let to public bidding.

Staff also requests City Council approve a budget amendment as detailed below.

REASON FOR RECOMMENDATION:

The proposed services will unify under one contractor the provision of maintenance services for the irrigation systems for all the Landscape. This unification will improve water use efficiency and reduce the frequency of repairs, and therefore reduce the costs to purchase water and replace dead plant material.

FISCAL IMPACT:

The monthly cost of proposed CCO No. 31 is \$9,500, and would require annual funding for each of the next two fiscal years as summarized in Table 1, below.

CITY MANAGER'S REPORT **PAGE 3**
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
APPROVE CCO NO. 31 WITH DAVID SILVA, DBA SILVA LANDSCAPE FOR
LANDSCAPE IRRIGATION SYSTEMS MAINTENANCE SERVICES AND APPROVE
BUDGET AMENDMENT

Table 1: Contract Cost Budget Summary

Monthly Cost	FY 2023-24 (8 month term)	FY 2024-25 (12 month term)
\$9,500	\$76,000	\$114,000

Sufficient funds for this amendment were not allocated in the approved FY 2023-24 budget; therefore, staff requests City Council approve a budget amendment as summarized, below:

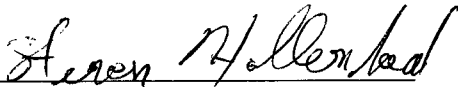
Fund	Increase Appropriation	FY 2023-24	FY 2024-25
General Fund	1010-30-05-420-27-00	\$169	\$254
General Fund	1010-30-10-420-27-00	\$267	\$401
General Fund	1010-30-10-420-32-00	\$3,495	\$5,243
General Fund	1010-40-30-420-27-00	\$331	\$496
Measure C - Essential City Services Fund	1060-19-10-420-32-00	\$2,821	\$4,231
Streets Fund	2080-50-10-420-27-00	\$362	\$543
Streets Trees Fund	2080-50-11-420-27-00	\$2,733	\$4,099
Storm Drain - Spec. Ben Fund	2510-50-20-420-27-00	\$406	\$608
Storm Drain - Spec. Ben, Fund	2510-50-20-420-32-00	\$607	\$911
Woodfield Landscape Fund	2530-50-62-420-32-00	\$1,192	\$1,787
Stonebridge Landscape Fund	2550-50-60-420-27-00	\$4,897	\$7,346
Stonebridge Landscape Fund	2550-50-60-420-32-00	\$286	\$429
Stonebridge Drain and Lighting Fund	2560-50-60-420-32-00	\$1,502	\$2,252
Mossdale CFD Fund	2570-50-63-420-27-00	\$14,550	\$21,824
Mossdale Landscape and Lighting Fund	2580-50-64-420-32-00	\$15,311	\$22,966
Historic Lathrop CFD Fund	2630-50-65-420-27-00	\$119	\$178
Historic Lathrop CFD Fund	2630-50-65-420-32-00	\$312	\$467
South Lathrop CFD 2019-1 Fund	2670-50-55-420-27-00	\$1,070	\$1,605
Lathrop Gateway Business Park CFD 2021-1 Fund	2672-50-55-420-27-00	\$351	\$526
CLSP Services CFD 2019-2	2680-50-55-420-27-00	\$14,241	\$21,362
CLSP Services CFD 2019-2	2680-50-64-420-32-00	\$9,511	\$14,267
Water Fund	5620-50-50-420-27-00	\$150	\$224
MWQCF Collection System Fund	6010-50-30-420-27-00	\$28	\$42
CTF-MBR Sewer Fund	6080-50-34-420-27-00	\$1,301	\$1,951

ATTACHMENTS:

- A. Resolution Approving Proposed Contract Change Order No. 31 with David Silva dba Silva Landscape
- B. Contract Change Order No. 31 with David Silva dba Silva Landscape

CITY MANAGER'S REPORT
OCTOBER 9, 2023 CITY COUNCIL REGULAR MEETING
APPROVE CCO NO. 31 WITH DAVID SILVA, DBA SILVA LANDSCAPE FOR
LANDSCAPE IRRIGATION SYSTEMS MAINTENANCE SERVICES AND APPROVE
BUDGET AMENDMENT

APPROVALS:



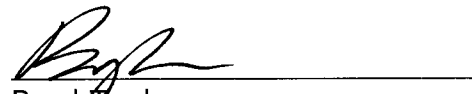
Steven Hollenbeak
Assistant Engineer

9.25.23
Date



Ken Reed
Senior Construction Manager

9-25-23
Date



Brad Taylor
City Engineer

9/26/2023
Date



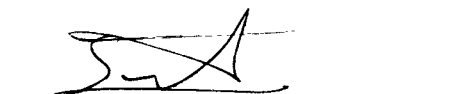
Cari James
Director of Finance

9/27/2023
Date



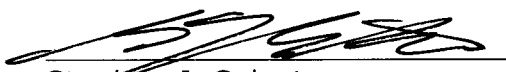
Michael King
Assistant City Manager

9-27-2023
Date



Salvador Navarrete
City Attorney

9.26.2023
Date



Stephen J. Salvatore
City Manager

10.4.23
Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING CONTRACT CHANGE ORDER NO. 31 WITH DAVID SILVA, DBA SILVA LANDSCAPE FOR LANDSCAPE IRRIGATION SYSTEMS MAINTENANCE SERVICES AND APPROVING BUDGET AMENDMENT

WHEREAS, on September 1, 2017, City Council approved the award of a Service contract to David Silva, dba Silva Landscape (Silva Landscape) for maintenance of landscape and downstream sections of irrigation for the City's parks and streetscapes; and

WHEREAS, City staff currently performs all adjustments to controllers and maintains and repairs all irrigation components upstream of lateral lines; and

WHEREAS, to optimize irrigation system performance and minimize costs, all landscape irrigation maintenance services should be performed by one entity; and

WHEREAS, the services contemplated by Contract Change Order (CCO) No. 31 were not included in the original contract specifications for the contract awarded to Silva Landscape on September 1, 2017 and which will expire on June 30, 2024 ; and

WHEREAS, staff requested and Silva Landscape provided a proposal of \$9,500 per month for the additional landscape irrigation maintenance services; and

WHEREAS, staff requests City Council adopt a resolution approving CCO No. 31 with Silva Landscape for the provision of landscape irrigation maintenance and repair services currently performed by City staff for all City-owned parks and streetscape for \$9,500 per month; and

WHEREAS, as sufficient funds for this amendment were not allocated in the approved FY 2023-24 budget, staff requests City Council approve a budget amendment as follows:

Fund	Increase Appropriation	FY 2023-24	FY 2024-25
General Fund	1010-30-05-420-27-00	\$169	\$254
General Fund	1010-30-10-420-27-00	\$267	\$401
General Fund	1010-30-10-420-32-00	\$3,495	\$5,243
General Fund	1010-40-30-420-27-00	\$331	\$496
Measure C - Essential City Services Fund	1060-19-10-420-32-00	\$2,821	\$4,231
Streets Fund	2080-50-10-420-27-00	\$362	\$543
Streets Trees Fund	2080-50-11-420-27-00	\$2,733	\$4,099
Storm Drain - Spec. Ben Fund	2510-50-20-420-27-00	\$406	\$608
Storm Drain - Spec. Ben, Fund	2510-50-20-420-32-00	\$607	\$911
Woodfield Landscape Fund	2530-50-62-420-32-00	\$1,192	\$1,787
Stonebridge Landscape Fund	2550-50-60-420-27-00	\$4,897	\$7,346
Stonebridge Landscape Fund	2550-50-60-420-32-00	\$286	\$429
Stonebridge Drain and Lighting Fund	2560-50-60-420-32-00	\$1,502	\$2,252
Mossdale CFD Fund	2570-50-63-420-27-00	\$14,550	\$21,824
Mossdale Landscape and Lighting Fund	2580-50-64-420-32-00	\$15,311	\$22,966
Historic Lathrop CFD Fund	2630-50-65-420-27-00	\$119	\$178
Historic Lathrop CFD Fund	2630-50-65-420-32-00	\$312	\$467
South Lathrop CFD 2019-1 Fund	2670-50-55-420-27-00	\$1,070	\$1,605
Lathrop Gateway Business Park CFD 2021-1 Fund	2672-50-55-420-27-00	\$351	\$526
CLSP Services CFD 2019-2	2680-50-55-420-27-00	\$14,241	\$21,362
CLSP Services CFD 2019-2	2680-50-64-420-32-00	\$9,511	\$14,267
Water Fund	5620-50-50-420-27-00	\$150	\$224
MWQCF Collection System Fund	6010-50-30-420-27-00	\$28	\$42
CTF-MBR Sewer Fund	6080-50-34-420-27-00	\$1,301	\$1,951

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop does hereby adopt a resolution approving Contract Change Order No. 31 with David Silva, dba Silva Landscape for additional irrigation system maintenance services for all City-owned parks and streetscape for \$9,500 per month.

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop does hereby approve a budget amendment as detailed above.

The foregoing resolution was passed and adopted this 9th day of October, 2023 by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

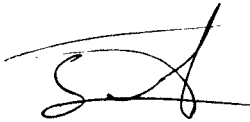
ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

CHANGE ORDER NO. 31

Monthly Fee – Landscape Irrigation Systems Maintenance
Services

City of Lathrop

CONTRACT CHANGE ORDER NO. 31
MONTHLY FEE – Landscape Irrigation Systems Maintenance**Contractor:** David Silva DBA Silva Landscape**Address:** PO Box 607
Patterson, CA 95363**Change Order Date** October 9, 2023**Contract Execution Date:** September 1, 2017**Notice to Proceed Date:** August 29, 2017

This contract change order augments or changes the following:

Pursuant to the provisions of the Contract Specifications and proposal attached as **Exhibit A**, you are hereby directed to make the herein described changes to the specifications and scope of work contracted for within the terms of the agreement between the **City of Lathrop** and **David Silva DBA Silva Landscape** dated **September 1, 2017**.

I. CHANGES IN THE SPECIFICATIONS

- A. Add to Contract Specifications, Section 01000 *SCOPE OF WORK – C. SPECIFIC PARK AND STREETScape MAINTENANCE SERVICES* sub-section 1.23, below:

1.23 Irrigation Maintenance Services – Additional Tasks

Contractor shall take responsibility for and perform all day to day operations for the maintenance, repair and performance of all park and streetscape irrigation components and systems for sites within Contractor's current contract, including main lines, station valves and manifold assemblies, Calsense and all other irrigation timers / controllers, low voltage irrigation wiring, backflow prevention devices, main valves and booster pumps.

Contractor shall be responsible for all adjustments to flow rate from station valves and controllers.

Contractor shall supply all labor involved in this work and the City will supply materials necessary.

Contractor shall receive weekly reports provided by a City of Lathrop representative and make all adjustments indicated as necessary in these reports in a timely manner. Contractor shall make field adjustments not necessarily noted in the weekly reports to address anticipated or observed problems.

During the peak irrigation months (approx.. May through October), Contractor shall concentrate on water budgets and adjustments.

CHANGE ORDER NO. 31

Monthly Fee – Landscape Irrigation Systems Maintenance Services

City of Lathrop

During periods of reduced irrigation (approx. November through April), Contractor shall coordinate with the City on installing City-supplied new controllers to replace designated CalSense controllers.

II. ADDITION(S) TO CONTRACT

Monthly Fee – Landscape Irrigation Maintenance Supervision	\$9,500/mo.
MONTHLY FEE COST FROM CHANGE ORDER NO. 31 (MONTHLY FEE)	\$9,500/mo.

ORIGINAL CONTRACT AMOUNT (MONTHLY FEE)	\$57,214.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 1 (MONTHLY FEE)	\$13,900.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 5 (MONTHLY FEE)	\$985.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 8 (MONTHLY FEE)	\$1,850.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 11 (MONTHLY FEE)	\$425.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 14 (MONTHLY FEE)	\$3,500.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 15 (MONTHLY FEE)	\$8,500.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 23 (MONTHLY FEE)	\$465.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 25 (MONTHLY FEE)	\$250.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 26 (MONTHLY FEE)	\$825.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 27 (MONTHLY FEE)	\$625.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 28 (MONTHLY FEE)	\$675.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 29 (MONTHLY FEE)	\$450.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 30 (MONTHLY FEE)	\$3,725.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 31 (MONTHLY FEE)	\$9,500.00
TOTAL REVISED MONTHLY CONTRACT AMOUNT	\$102,889.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 2 (ONE TIME FEE)	\$14,989.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 3 (ONE TIME FEE)	\$22,800.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 4 (ONE TIME FEE)	\$3,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 6 (ONE TIME FEE)	\$11,400.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 7 (ONE TIME FEE)	\$1,780.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 9 (ONE TIME FEE)	\$2,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 10 (ONE TIME FEE)	\$950.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 12 (ONE TIME FEE)	\$3,800.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 13 (ONE TIME FEE)	\$925.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 16 (ONE TIME FEE)	\$1,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 17 (ONE TIME FEE)	\$2,400.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 18 (ONE TIME FEE)	\$1,650.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 19 (ONE TIME FEE)	\$2,400.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 20 (ONE TIME FEE)	\$2,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 21 (ONE TIME FEE)	\$1,300.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 22 (ONE TIME FEE)	\$1,200.00
TOTAL ADDITIONAL COST FROM CHANGE ORDER NO. 24 (ONE TIME FEE)	\$4,500.00
TOTAL ONE-TIME ADDITIONS TO CONTRACT AMOUNT	\$78,900.00

(END OF CHANGES)

CHANGE ORDER NO. 31

**Monthly Fee – Landscape Irrigation Systems Maintenance
Services**

City of Lathrop

DESCRIPTION OF WORK

See **Sec. II. ADDITION(S) TO CONTRACT**. The contractor will provide all labor, material, equipment and perform all incidental tasks as necessary to complete the change order.

TIME OF COMPLETION

The work is to begin as soon as Notice to Proceed is received, and run throughout the duration of the contract.

RELEASE AND WAIVER

Acceptance of this Contract Change Order constitutes a full and final resolution of all pending disputes between City and Contractor regarding scope of work and payment for work. Contractor accepts this Contract Change Order as full payment for all work performed to date and hereafter to be performed, up to and including Contract Change Order No. 31. Contractor releases and discharges City from any and all claims, demands, damages, actions and causes of actions and causes of action for injuries, damages or losses, whether known or unknown, foreseen or unforeseen, arising directly from Contractor's work on this contract. Contractor expressly waives the provisions of California Civil Code, Section 1542, which reads as follows:

A general release does not extend to claims which the Creditor does not know or suspect to exist in his favor at time of executing the release, which if known by him must have materially affected his settlement with the debtor.

EXHIBITS

A: Proposal #2042 from Silva Landscape


(END OF SECTION)

CHANGE ORDER NO. 31

**Monthly Fee – Landscape Irrigation Systems Maintenance
Services**

City of Lathrop

Approved As
To Form:



Salvador Navarrete
City Attorney
City of Lathrop

9-26-2023
Date

Recommended
By:

Michael King
Assistant City Manager
City of Lathrop

Date

Approved By:

Stephen J. Salvatore
City Manager
City of Lathrop

Date

Accepted By
Contractor:

David Silva dba Silva Landscape

Date

Print Name and Title

EXHIBIT A



Silva Landscape
Po Box 607
Patterson, CA 95363 US
(925) 413-3192
david.silvalandscape@gmail.com

Estimate

ADDRESS

City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

ESTIMATE # 2042

DATE 08/08/2023

DESCRIPTION

Irrigation Control Proposal

SERVICES

AMOUNT

Silva Landscape will take responsibility of day to day operations of the entire irrigation controller system and will make all necessary adjustments needed to insure the needs of the landscape are met

9,500.00

Silva Landscape will receive weekly report provided by a City of Lathrop representative and make all adjustments needed from these reports in a timely manner

Silva Landscape will also make necessary adjustments identified in the field but not noted in the reports.

During the peak irrigation months we will concentrate on water budgets and adjustments, during slower periods of irrigation needs we will work with the City installing the replacements of the CalSense system with City supplied new controllers

Silva Landscape will supply all labor involved in this work and City of Lathrop will supply all materials necessary.

Monthly - \$9,500

Approved by _____

TOTAL

\$9,500.00

Accepted By

Accepted Date