

**TO:** Andrew P. Powers, City Manager

**FROM:** Kelvin Parker, Community Development Director

**DATE:** June 18, 2024

**SUBJECT:** **Arborist and Landscape Architect Consultant Services**

**RECOMMENDATION:**

1. Authorize the City Manager to execute Professional Services Agreements with Dudek (Encinitas, CA), Rincon Consultants (Ventura, CA), and Wildscape Restoration, Inc. (Ventura, CA) for arborist and landscape architect consultant services for a three-year period ending June 30, 2027, plus an option to extend for a maximum of one additional one-year term, for a not-to-exceed amount of \$100,000 per fiscal year per consultant with the total four-year contract not-to-exceed amount of \$400,000 per agreement.
2. Authorize expenditure in an amount of \$100,000 for FY 2024-25 from A/C #001-4210-641-5947 (General Fund Planning – Reimbursable).
3. Find that this action is not a project as defined under the California Environmental Quality Act.

**LEVINE ACT ITEM: Yes**

**FINANCIAL IMPACT:**

**No Additional Funding Requested.** \$100,000 is included in the Adopted FY 2024-25 General Fund Budget. Approximately 40 percent of landscape architectural services is offset by fees charged to applicants for application or plan check review. The budget for the remaining contract term will be requested during upcoming biennial budget cycles.

**BACKGROUND:**

The Community Development Department (CDD) uses arborists and landscape consultants to secure specific expertise to evaluate protected trees and ensure that landscapes meet the State's water usage and Fire Department requirements.

The primary responsibility of the Consultant under the contract is to review oak tree and landmark tree permit applications and landscape plans required for development projects. In addition, the consultant is to respond to inquiries from City staff, project planners, and occasionally the applicants. The proposed contracts will be for a three-year term with an option for one, one-year extension. About 40 percent of the City's cost for landscape architectural services is offset by fees charged to applicants for application or plan check review. Applicants post a deposit, which is held in a trust account for payment to the assigned consultant when services are rendered. If the cost of service exceeds the deposit amount, then the applicant is billed for the difference.

CDD has historically used multiple Landscape Consultants to perform the function, splitting the required hours among them. In the past, having more than one consultant provided better customer service by providing coverage during periods when one or more consultants were unavailable. The contracts for arborist and landscape consultant services expire June 30, 2024. New contracts are needed to ensure continued service delivery that is efficient, reliable, responsive, and cost-effective.

**DISCUSSION/ANALYSIS:**

In accordance with requirements of the Thousand Oaks Municipal Code, an invitation to participate in the City's Request for Proposal/Qualifications (RFP/Q) process for landscape architecture and arborist tree review consultant services was posted on May 3, 2024, and was publicly advertised in the local newspaper and on the City's procurement website.

Four responses were received, but one responding firm did not meet the requirements of the RFP/Q. Proposals were received from:

- Dudek (Encinitas, CA)
- Rincon Consultants (Ventura, CA)
- Wildscape Restoration, Inc. (Ventura, CA)
- Studio Re: Form (Oceanside, CA) – *Did not meet RFP/Q Requirements*

The criteria used to evaluate each proposal included the following:

- Understanding of work required by City of Thousand Oaks.
- Proposed approach in completing the work.
- Quality, clarity and responsiveness of proposal.
- Qualifications and availability of key persons to be assigned to the contract resulting from this solicitation.
- Number of years of experience the Proposer has in this type of business and with accounts of this size.
- Demonstrated competence.
- Experience in performance of comparable work or delivery of comparable goods.
- Reasonableness of cost.
- Financial stability.
- Conformance with the terms of this RFP/Q.
- Price submittal.

Based on staff's review of the Landscaping and Arborist Consultant Service Statement of Qualifications (SOQ) of the three firms that met the requirements, staff is recommending that Dudek (Encinitas, CA), Rincon Consultants (Ventura, CA), and Wildscape Restoration, Inc. (Ventura, CA) be offered contracts. A sample Professional Services Agreement is included as Attachment #1.

**LEVINE ACT (California Government Code § 84308):**

This item is subject to the Levine Act. City Councilmembers who have received a campaign contribution of more than \$250 (aggregated) within the preceding 12 months from a party or their agent/representative, or a financially interested participant involved in this proceeding may do either of the following: (1) disclose the contribution on the record and recuse themselves from this proceeding; or if applicable (2) return the portion of the contribution that exceeds \$250 within 30 days from the time the official knew or should have known about the contribution, and participate in the proceeding.

All parties and their agents/representatives must disclose on the record of this proceeding any aggregated contribution of more than \$250 made to any Councilmember within the preceding 12 months (Attachment #2). Councilmembers are prohibited from accepting, soliciting, or directing a campaign contribution of more than \$250 (aggregated) from a party, their agent/representative, or a financially-interested participant during a proceeding and for 12 months following the date a final decision is made. In addition, a party, their agent/representative, or a financially interested participant is prohibited from contributing more than \$250 (aggregated) to a Councilmember during a proceeding and for 12 months following the date a final decision is made.

**COUNCIL GOAL COMPLIANCE:**

Meets the following City Council goal:

B. Provide municipal government leadership which is open and responsive to residents, and is characterized by ethical behavior, stability, promoting public trust, transparency, confidence in the future, and cooperative interaction among civic leaders, residents, business representatives, and staff, while recognizing and respecting legitimate differences of opinion on critical issues facing the City.

**PREPARED BY:** Krystin Rice, Planning Division Manager

Attachments:

Attachment #1 – Professional Services Agreement Template

Attachment #2 – Levine Act Disclosure Forms