

0150-11658-0006

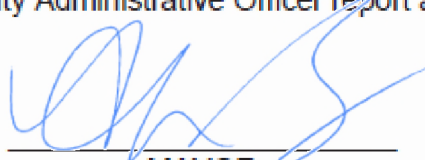
TRANSMITTAL

TO The City Council	DATE 11/25/20	COUNCIL FILE NO. 20-0093
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FROM The Mayor	COUNCIL DISTRICT 14
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Board of Public Works proposed twenty-fifth amendment with the Los Angeles Conservation Corps to provide funding for the Boyle Heights Green Alley Project funded by the California Natural Resources Agency grant.

Transmitted for consideration. This contract is exempt from the June 24, 2020, Mayor's Cost Containment Measures and authorized for execution, subject to the approval of the Council. See the City Administrative Officer report attached.



MAYOR

(Ana Guerrero for)

Report From
OFFICE OF THE CITY ADMINISTRATIVE OFFICER
Analysis of Proposed Contract
(\$25,000 or Greater and Longer than Three Months)

To: The Mayor	Date: 11-25-20	C.D. No. All	CAO File No.: 0150-11658-0006				
Contracting Department/Bureau: Board of Public Works		Contact: Paul Racs (213) 978-0229					
Reference: Board of Public Works report transmittal dated September 15, 2020; request for report from Mayor's Office on September 16, 2020							
Purpose of Contract: To provide funding for the creation of new tree wells, tree planting, and tree maintenance for the Boyle Heights Green Alley Project.							
Type of Contract: (X) Amendment, Contract No. C-124509		Contract Term Dates: August 1, 2014 through December 31, 2022					
Contract/Amendment Amount: \$ 2,265,000							
Proposed amount \$2,265,000 + Prior award(s) \$15,405,010.76 = Total \$17,670,010.76							
Source of funds: California Natural Resources Agency Grant							
Name of Contractor: Los Angeles Conservation Corps							
Address: 1400 N. Spring Street Los Angeles, CA 90012							
	Yes	No	N/A	Contractor has complied with:	Yes	No	N/A
1. Council has approved the purpose	X			8. Business Inclusion Program			X
2. Appropriated funds are available	X			9. Equal Benefits & First Source Hiring Ordinances	X		
3. Charter Section 1022 findings completed	X			10. Contractor Responsibility Ordinance	X		
4. Proposals have been requested	X			11. Disclosure Ordinances	X		
5. Risk Management review completed	X			12. Bidder Certification CEC Form 50	X		
6. Standard Provisions for City Contracts included	X			13. Prohibited Contributors (Bidders) CEC Form 55	X		
7. Workforce that resides in the City: n/a %				14. California Iran Contracting Act of 2010	X		

RECOMMENDATION

That the Mayor and Council authorize the Board President or two members of the Board of Public Works, or designee, to execute a twenty-fifth amendment with Los Angeles Conservation Corps for the creation of new tree wells, tree planting, and tree maintenance for the Boyle Heights Green Alley Project, for an additional amount of \$2,265,000 for a total cost not-to-exceed \$17,670,010.76, subject to the review and approval of the City Attorney as to form and legality.

SUMMARY

The Office of Community Beautification (OCB) within the Board of Public Works (Board) contracts with various community-based non-profit organizations to provide graffiti removal and supplemental community beautification services. The Los Angeles Conservation Corps (LACC) is one of the community-based non-profit organizations under contract with the Board, providing services throughout the City. The LACC employs youth and young adults in various programs to provide these services, which helps them gain environmental work experience, and build their employment skills.

On August 1, 2014, the Board of Public Works (Board) entered into a contract (C-124509) with LACC to provide tree planting and maintenance services. The initial contract had a term from August 1, 2014 through July 31, 2017 and compensation of \$1,887,516.26. The following twenty-four amendments increased the contract ceiling by \$13,517,494.50 for a new total compensation of \$15,405,010.76 and increased the term of the contract through December 31, 2022.

Nichole C. Trujillo			 City Administrative Officer
NCT	Analyst	06210053	

In June 2019 the Bureau of Sanitation (LASAN) submitted a concept proposal to the California Natural Resources Agency (CNRA) to fund the creation of a green alley and allow for the planting and maintenance of 500 15-gallon street trees and the creation of 200 new tree wells in Boyle Heights. On January 29, 2020 the City Council authorized a grant submission of \$714,424 (C.F. 20-0093). On March 9, 2020, the CNRA notified LASAN that the Boyle Heights project had been selected for funding. In addition, CNRA offered LASAN an additional \$1,550,576 (up to \$2.265 million in total) to expand the scope of the tree planting project. The revised project scope of work includes the planting and watering (two years) of a minimum of 1,400 15-gallon street trees and the creation of 525 new tree wells. The project completion date is March 1, 2022. If needed, time extensions are possible. The LACC contract amendment term runs through December 31, 2022 and can accommodate up to nine months of potential extensions. The grant includes a match component of \$152,950 which will be provided by City Plants under an existing contract which will purchase 500 of the 1,400 trees required by the grant. In addition, the Bureau of Street Services is providing \$22,400 in match through inspections and the issuance of no-fee tree planting permits.

The Board is requesting authority to execute a twenty-fifth amendment with LACC to increase the total contract cost by \$2,265,000 for a new total cost ceiling of \$17,670,010.76.

This Office has confirmed that the recommended contractor has submitted the required documentation in compliance with City contracting policies. In compliance with Los Angeles Administrative Code Section 10.5, Council approval is required as the contract is over three years. The attached Board report provides further detail on the proposed contract amendment (Attachment).

Cost Containment Memo Compliance

The Mayor's Fiscal Year 2020-21 Cost Containment Measures Memo directed all departments to suspend execution of new contracts and the expansion of existing contracts in 2020-21, with limited exceptions. This Office recommends an exception for this amendment as 93% of the project cost will be funded through grant funds. Front funding for the project in the amount of \$500,000 will be provided by the Integrated Solid Waste Management Fund. All reimbursement received from the grant will be deposited into the same fund.

FISCAL IMPACT STATEMENT

There is a small General Fund impact. The funding for the proposed amendment is provided by the CNRA grant. The grant includes a match component of \$152,950 which will be provided by City Plants under an existing contract which will purchase 500 of the 1,400 trees required by the grant. In addition, the Bureau of Street Services is providing \$22,400 in General Fund match through inspections and the issuance of no-fee tree planting permits. The BSS General Fund match is part of their 2020-21 operating budget.

FINANCIAL POLICIES STATEMENT

The recommendations in this report comply with the City's Financial Policies in that current year revenues are used for current year expenses.

Attachment: Board of Public Works Report dated September 15, 2020.

RHL:NCT:06210053

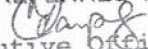
DEPARTMENT OF PUBLIC WORKS

BUREAU OF SANITATION
OFFICE OF COMMUNITY BEAUTIFICATION
JOINT BOARD REPORT NO. 1
SEPTEMBER 15, 2020

ADOPTED BY THE BOARD
PUBLIC WORKS OF THE CITY
of Los Angeles California

SEP 15 2020

AND REFERRED TO THE MAYOR


Executive Officer
Board of Public Works

CD: 14

REQUEST TO EXECUTE CONTRACT AMENDMENT WITH THE LOS ANGELES CONSERVATION CORPS TO PROVIDE ADDITIONAL FUNDING FOR THE CREATION OF NEW TREE WELLS, TREE PLANTING, AND TREE MAINTENANCE FOR THE CALIFORNIA NATURAL RESOURCES AGENCY GREEN INFRASTRUCTURE PROGRAM BOYLE HEIGHTS GREEN ALLEY PROJECT

RECOMMENDATIONS

1. Request the Board of Public Works (Board) to direct the Office of Community Beautification (OCB) to amend contract C-124509 with the LA Conservation Corps (LACC) to increase the contract ceiling by \$1,380,576 and authorize additional project work for tree well creation, tree planting and maintenance work, and outreach materials for the Boyle Heights California Natural Resources Green Infrastructure grant known as the Boyle Heights Green Alley project, bringing the total contract amount to \$1,995,000 for the project.
2. Request the Board President or two members of the Board to execute the contract amendment after the City Attorney has approved the contract as to form and content.

TRANSMITTAL

1. Adopted Resolution.

DISCUSSION

The California Natural Resources Agency (CNRA) is offering grant funding from the Green Infrastructure Grant Program (Program) for projects that provide multiple benefits and create sustainable, resilient, and vibrant communities. Funding for this program is via Proposition 68. Eligible projects must improve resilience to climate change, improve or protect wildlife corridors or habitat, or enhance drought tolerance and water retention. Projects must be located in disadvantaged or severely disadvantaged communities as defined by the State. Projects are assessed by the CNRA in three application rounds: 1) concept proposal, 2) site visit, 3) full application. Each phase becomes more selective. After the third and final stage, the State awards grants to selected projects.

Background

LA Sanitation and Environment (LASAN) submitted a concept proposal in June 2019 for \$2,815,673 in grant funding to create a green alley plus an urban forestry component that would plant and maintain 500 15-gallon street trees and create 200 new tree wells in Boyle Heights, one of the most underserved and heavily contaminated neighborhoods in California. The CNRA

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invited LASAN to participate in the second application step and visited the project site on September 23, 2019. After the site visit, the CNRA advanced LASAN's funding request for urban forestry work to the third and final application phase, but unfortunately the State did not move forward with the green alley portion of the project.

The proposed budget submitted with the concept proposal included tree planting elements in the larger scope grant budget for a total of \$714,424. During the concept proposal phase, LASAN assisted CD14 with a Council Resolution to apply and prepared a Board Report that included a recommendation that the Board authorize the Office of Community Beautification (OCB) to amend contract C-124509 with the Los Angeles Conservation Corps (LACC) to authorize tree planting work and increase the contract ceiling by \$615,000 to accomplish the project objectives (if awarded). On March 11, 2020, the Board authorized the request.

On March 9, 2020, the CNRA notified LASAN that the Boyle Heights project had been selected for funding. In addition, CNRA offered LASAN an additional \$1,550,576 (up to \$2.265 million in total) to expand the scope of the tree planting project. LASAN is requesting that the Board direct OCB to authorize additional changes to C-124509 to accommodate the expanded scope and budget of the Boyle Heights Green Infrastructure project.

The revised project scope of work will now plant a minimum of 1,400 15-gallon street trees, create 525 new tree wells, and water the 1,400 new trees for two years (the maximum plant establishment period allowed per the grant) to improve local air quality, sequester carbon, and improve community walkability. The total awarded amount of the project is \$2,265,000 (including City match the total project is \$2,417,950). The project completion date is March 1, 2022, with probable extensions.

City of Los Angeles Council Action Related to the Project: Council File 20-0093

On January 29, 2020 the LA City Council authorized a grant submission for \$715,000 (Council File 20-0093) with the attached resolution, as required by the State. On April 7, 2020, City Council authorized the City to accept the increased funding of up to \$2,265,000.

Budget Details

As encouraged by the Green Infrastructure Grant Program, projects employing the state or local Conservation Corps are preferred whenever possible and taken into special consideration for awarding. The LACC was consulted and readily agreed to work on this project. LACC will be paid with grant funds to remove concrete, plant 900 trees, and provide tree care to all 1,400 trees during the maintenance phase through an existing Office of Community Beautification contract (C-124509). In addition, a match is being provided by City Plants under an existing contract with LACC, so City Plants will purchase and LACC will plant the remaining 500 (of the 1,400) trees. LACC provides valuable job training to at-risk youth, many of whom live in disadvantaged communities. LACC prides themselves on providing important work experience with an emphasis on sustainability and conservation.

As shown in the table below, \$270,000 of grant funds will be used for part-time LASAN staff working on the project over the lifetime of the grant. Staff will conduct community outreach and meetings (when possible) and work with the community to select the tree locations, site the

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trees and new well cuts, notify residents and business managers about the site selection, assign tree planting work to the conservation corps, and ensure the trees are maintained with field visits and photo documentation.

The Bureau of Street Services, Urban Forestry Division (StreetsLA), is providing \$22,400 in match through inspections and issuing no-fee tree planting permits. Any time an individual or group plants a street tree, staff inspects the planting to ensure the right tree has been planted as stated in the permit, and the planting meets City requirements.

Grant receivables under this award are on a reimbursement basis (i.e., LASAN must present the grantor with appropriate documentation of expenditures prior to receiving any portion of the grant award).

ITEM	Original Budget with March 11, 2020 Board Authorization	Updated Grant Award Amount	Difference
LASAN Staff	\$100,000	\$270,000	\$170,000
LACC Contractual Costs (Total)	\$614,424	\$1,956,849	\$1,342,425*
Outreach, Signage, Contingency	\$0	\$38,151	\$38,151*
Total Awarded Grant Project	\$714,424	\$2,265,000	\$1,550,576
MATCH (City Plants & StreetsLA)	\$138,050	\$152,950	\$14,900
Total Project Budget	\$852,474	\$2,417,950	\$1,565,476

*Contract amendment will include \$1,380,576 = LACC Contractual costs (\$1,342,425) + Outreach, Signage, and Contingency costs (\$38,151)

LASAN Tree Planting History

Over the past five years, LASAN staff has implemented multiple urban forestry projects and has brought in more than \$7 million in grant funding (including this project). Collectively, these projects will plant roughly 10,000 trees, remove over 85,000 square feet (or two acres) of concrete to create new tree wells, and maintain thousands of street trees once complete. These projects have increased tree canopy and sequestered emissions in communities across the City, in alignment with LASAN's mission to protect public health and the environment. Further, the successful implementation of these projects speaks to LASAN's ability to execute large urban forestry projects. This project will continue the important work of greening disadvantaged, deserving areas while providing multiple benefits to the community.

California Environmental Quality Act (CEQA)

The project is categorically exempt from the CEQA under Article III, Section 1 of the City guidelines: Minor alterations to land, category 3 – new tree planting.

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PROGRAM REVIEW BY DIRECTOR (PRD) APPROVAL

The tree planting portion of the original Project was approved by PRD on January 31, 2020 in the total project amount of \$852,474. A revised PRD for \$2,417,950 was approved on July 8, 2020.

STATUS OF FINANCING

There is no impact to the General Fund. The total funding is not to exceed \$2,265,000. Upon grant award, front-funding in the amount of \$500,000 is available in the Integrated Solid Waste Management Fund, Fund No. 556, Appropriation Unit No. 50SMGA.

Proceeds from the CNRA will be deposited into the Integrated Solid Waste Management Fund, No. 556, Department 50, Departmental Revenue Source Code 516101.

Funds and Appropriations for future fiscal years are not yet identified and existing appropriations may change based on available cash balances. Therefore, funds and appropriations will be determined by the Director of LASAN or designee.

Funding as of the date of this Board Report has been verified and approved by the Director of the Office of Accounting subject to terms and conditions and cash availability described above.

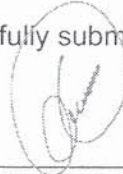
Notwithstanding any other provision of this Contract, including any exhibits or attachments incorporated therein, and in order for the City to comply with its governing legal requirements, the City shall have no obligation to make any payments to the Contractor unless the City shall have first made an appropriation of funds equal to or in excess of its obligation to make any payments as provided in this Contract.

The Contractor agrees that any services provided by the Contractor, purchases made by the Contractor or expenses incurred by the Contractor in excess of the appropriation(s) shall be free and without charge to the City and the City shall have no obligation to pay for the services, purchases or expenses. The Contractor shall have no obligation to provide any services, provide any equipment, or incur any expense in excess of the appropriation amount(s) until the City appropriates additional funds for this Contract.

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Respectfully submitted,

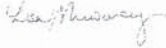


ENRIQUE C. ZALDIVAR, P.E.
Director and General Manager
Bureau of Sanitation



PAUL RACS, Director
Office of Community Beautification

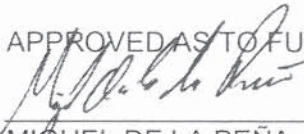
REVIEWED AND APPROVED BY:



Digitally signed by Lisa B. Mowery
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Date: 2020.09.01 15:58:03 -07'00'

LISA B. MOWERY, P.E., Chief Financial Officer
Bureau of Sanitation
Date: 9/1/20

APPROVED AS TO FUNDS:



MIGUEL DE LA PEÑA, Director
Office of Accounting
556/50/50SMGA \$500,000
Date: 09/04/2020

Prepared by:

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