

# CITY COUNCIL REPORT



Meeting Date: January 9, 2024  
General Plan Element: ***Public Services and Facilities***  
General Plan Goal: ***Provide Services to improve neighborhoods  
and the lives of Scottsdale Residents.***

## ACTION

**Job Order Contracting (JOC) Construction Services Contract One-year Extensions for Citywide General Landscape Construction Services.** Adopt Resolution 13020 authorizing Contract 2020-004-COS-A3 with DBA Construction, Inc., Contract 2020-005-COS-A3 with Landscapes Unlimited, LLC and Contract 2020-019-COS-A3 with Valley Rain Construction Corporation for one-year contract extensions for citywide general landscape construction services.

## BACKGROUND

The purpose of this action is to authorize the third year of three possible option years allowed under the terms of the City's currently active Citywide General Landscape Construction Services Job Order Contracts (JOC) with DBA Construction, Inc., Landscapes Unlimited LLC and Valley Rain Construction Corporation.

The citywide landscape Job Order contracts will support the City's need for small landscape projects which may include features such as: installation of plants, trees and irrigation systems; plant inventory and native plant salvage services; installation of walkways or fencing related to landscape or park improvements; installation of basic landscape lighting and associated electrical; grading and excavation for landscaping purposes; and construction management.

Since approval of these contracts in January 2020, DBA Construction, Landscapes Unlimited and Valley Rain Construction have provided timely, high quality, and cost-effective construction for the City on a number of projects. These have included the Peaceful Valley Monument Repair, the Pima Park Restroom Replacement and the Scottsdale Road Median Landscape.

The maximum annual aggregate limit of \$2,000,000 per contract is consistent with anticipated requirements that would be suitable for execution using these contracts over the next year.

## ANALYSIS & ASSESSMENT

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### Community Involvement

City Staff will continue to use the same community involvement and notification procedures for job orders issued under this contract that are used when projects are constructed using other procurement methods, in order to meet the needs of residents and businesses throughout the project areas.

## RESOURCE IMPACTS

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### Available funding

Authorization of this contract modification commits no funding. Funding for each job order will be provided by the individual CIP project associated with the scope of the task and will be encumbered once negotiations are completed.

### Staffing, Workload Impact

Existing Capital Project Management staff resources are available to provide design and construction contract administration, construction management and inspection services for these projects. Melanie Gibson, Public Works Project Coordinator in the Capital Project Management Division of the Public Works Department, is the contract administrator for this contract.

### Future Budget Implications

Combined construction cost for all projects will not exceed \$2,000,000 per contract annually. There is no additional operating budget required as a result of this contract.

## OPTIONS & STAFF RECOMMENDATION

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### Recommended Approach:

Adopt Resolution 13020 authorizing Contract 2020-004-COS-A3 with DBA Construction, Inc., Contract 2020-005-COS-A3 with Landscapes Unlimited LLC and Contract 2020-019-COS-A3 with Valley Rain Construction Corporation for one-year contract extensions for citywide general landscape construction services.

### Proposed Next Steps:

If this action is approved, staff will immediately begin considering the use of these contracts as an alternative for landscape improvement projects as appropriate.

**RESPONSIBLE DEPARTMENT(S)**

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Public Works Division, Capital Project Management

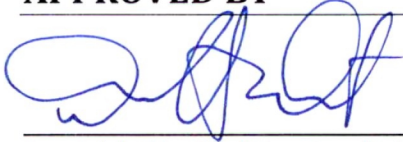
**STAFF CONTACTS (S)**

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Melanie Gibson, Public Works Project Coordinator [mgibson@scottsdaleaz.gov](mailto:mgibson@scottsdaleaz.gov) (480) 312-7649

**APPROVED BY**

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Daniel J. Worth, Director, Public Works

[dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov) (480) 312-5555

12-19-23

Date

**ATTACHMENTS**

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1. Resolution 13020
2. Contract 2020-004-COS-A3
3. Contract 2020-005-COS-A3
4. Contract 2020-019-COS-A3

RESOLUTION NO. 13020

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA AUTHORIZING THE CITY OF SCOTTSDALE TO ENTER INTO ONE-YEAR CONTRACT EXTENSIONS THROUGH CONTRACT 2020-004-COS-A3 WITH DBA CONSTRUCTION, INC., CONTRACT 2020-005-COS-A3 WITH LANDSCAPES UNLIMITED, LLC AND CONTRACT 2020-019-COS-A3 WITH VALLEY RAIN CONSTRUCTION CORPORATION FOR CITYWIDE LANDSCAPING SERVICES.

WHEREAS, the City desires to extend the Contracts for citywide landscaping services, which may include: installation of plants, trees and irrigation systems; plant inventory and native plant salvage services; installation of walkways or fencing related to landscape or park improvements; installation of basic landscape lighting and associated electrical; grading and excavation for landscaping purposes; and construction management; and

WHEREAS, this extension is for the third of three (3) possible one-year extensions, after the completion of the original two-year term; and

WHEREAS, it has been determined that DBA Construction, Inc., Landscapes Unlimited, LLC and Valley Rain Construction Corporation are qualified to render the services desired by the City and have rendered satisfactory services under the existing contract.

BE IT RESOLVED by the Council of the City of Scottsdale as follows:

Section 1. The City Council hereby authorizes and directs the Mayor to execute Contract No. 2020-004-COS-A3 with DBA Construction, Inc., Contract 2020-005-COS-A3 with Landscapes Unlimited, LLC and Contract No. 2020-019-COS-A3 with Valley Rain Construction Corporation for a one-year time extension, not to exceed \$2,000,000 per each Contract for landscaping services throughout the City as needed.

PASSED AND ADOPTED by the Council of the City of Scottsdale this \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

CITY OF SCOTTSDALE, an  
Arizona municipal corporation

By: \_\_\_\_\_  
Ben Lane, City Clerk

By: \_\_\_\_\_  
David D. Ortega, Mayor

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

\_\_\_\_\_  
Sherry R. Scott, City Attorney  
By: Eric C. Anderson, Senior Assistant City Attorney

ATTACHMENT 1

**CITY OF SCOTTSDALE  
MODIFICATION TO JOB ORDER CONTRACTING SERVICES**

THIS CONTRACT MODIFICATION made and entered into this 9th day of January 2024, between the City of Scottsdale, an Arizona municipal corporation ("the City"), and DBA Construction, Inc. an Arizona corporation, ("the Contractor"), amending the Contract dated January 21, 2020, between the City and the Contractor.

**RECITALS:**

The Mayor of the City of Scottsdale is authorized and empowered by provisions of the City Charter to execute Contracts and Contract Modifications; and

Four (4) years of the authorized five (5) years under this Contract have been used and the City desires to extend by one (1) year, the term of the original Job Order Contract No. 2020-004-COS for citywide landscaping services, in accordance with the terms of the original contract; and

The City and the Contractor mutually agree to extend and modify the Contract.

IN CONSIDERATION of the mutual promises and obligations of the Contract, the parties agree as follows:

**1.0 EXTENSION:**

In accordance with Article 3.1, *CONTRACT TIME*, this contract is extended for an additional one (1) year period, commencing on the 9<sup>th</sup> day of January 2024.

**2.0 MODIFICATIONS:**

2.1 Article 3.1(A), *CONTRACT TIME* – AMEND to:  
Contract time for this Job Order Contract will commence on or about the 9<sup>th</sup> of January 2024 and will be for one (1) year.

**OTHER CONTRACT PROVISIONS:**

All provisions of the original Contract not modified above shall remain in full force and effect as previously stated.

[END OF CONTRACT-signatures on next page]

THE CITY OF SCOTTSDALE, by its Mayor and City Clerk, have subscribed their names this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

AUTHORIZATION

**CONTRACTOR:**

DBA CONSTRUCTION, INC.,  
an Arizona corporation

**CITY OF SCOTTSDALE**, a municipal  
corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
David D. Ortega, Mayor

ATTEST:

RECOMMENDED:

By: \_\_\_\_\_  
Melanie Gibson, City Contract Administrator

By: \_\_\_\_\_  
Ben Lane, City Clerk

CITY OF SCOTTSDALE REVIEW:

By: \_\_\_\_\_  
Alison Tymkiw, City Engineer Public Works

By: \_\_\_\_\_  
George Woods, Risk Management

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

\_\_\_\_\_  
Sherry R. Scott, City Attorney  
By: Eric C. Anderson, Senior Assistant City Attorney

**CITY OF SCOTTSDALE  
MODIFICATION TO JOB ORDER CONTRACTING SERVICES**

THIS CONTRACT MODIFICATION made and entered into this 9th day of January 2024, between the City of Scottsdale, an Arizona municipal corporation ("the City") and Landscapes Unlimited, LLC, a Nebraska limited liability company, ("the Contractor"), amending the Contract dated January 21, 2020, between the City and the Contractor.

**RECITALS:**

The Mayor of the City of Scottsdale is authorized and empowered by provisions of the City Charter to execute Contracts and Contract Modifications; and

Four (4) years of the authorized five (5) years under this Contract have been used and the City desires to extend by one (1) year, the term of the original Job Order Contract No. 2020-005-COS for citywide landscaping services, in accordance with the terms of the original contract; and

The City and the Contractor mutually agree to extend and modify the Contract.

IN CONSIDERATION of the mutual promises and obligations of the Contract, the parties agree as follows:

**1.0 EXTENSION:**

In accordance with Article 3.1, *CONTRACT TIME*, this contract is extended for an additional one (1) year period, commencing on the 9<sup>th</sup> day of January 2024.

**2.0 MODIFICATIONS:**

2.1 Article 3.1(A), *CONTRACT TIME* – AMEND to:  
Contract time for this Job Order Contract will commence on or about the 9<sup>th</sup> of January 2024 and will be for one (1) year.

**OTHER CONTRACT PROVISIONS:**

All provisions of the original Contract not modified above shall remain in full force and effect as previously stated.

[END OF CONTRACT-signatures on next page]

THE CITY OF SCOTTSDALE, by its Mayor and City Clerk, have subscribed their names this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**AUTHORIZATION**

**CONTRACTOR:**

LANDSCAPES UNLIMITED, LLC,  
a Nebraska limited liability company

**CITY OF SCOTTSDALE**, a municipal  
corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
David D. Ortega, Mayor

**ATTEST:**

**RECOMMENDED:**

By: \_\_\_\_\_  
Melanie Gibson, City Contract Administrator

By: \_\_\_\_\_  
Ben Lane, City Clerk

**CITY OF SCOTTSDALE REVIEW:**

By: \_\_\_\_\_  
Alison Tymkiw, City Engineer Public Works

By: \_\_\_\_\_  
George Woods, Risk Management

**APPROVED AS TO FORM:**

**OFFICE OF THE CITY ATTORNEY**

\_\_\_\_\_  
Sherry R. Scott, City Attorney  
By: Eric C. Anderson, Senior Assistant City Attorney



**CITY OF SCOTTSDALE  
MODIFICATION TO JOB ORDER CONTRACTING SERVICES**

THIS CONTRACT MODIFICATION made and entered into this 9th day of January 2024, between the City of Scottsdale, an Arizona municipal corporation ("the City") and Valley Rain Construction Corporation, an Arizona corporation, ("the Contractor"), amending the Contract dated January 21, 2020, between the City and the Contractor.

**RECITALS:**

The Mayor of the City of Scottsdale is authorized and empowered by provisions of the City Charter to execute Contracts and Contract Modifications; and

Four (4) years of the authorized five (5) years under this Contract have been used and the City desires to extend by one (1) year, the term of the original Job Order Contract No. 2020-019-COS for citywide landscaping services, in accordance with the terms of the original contract; and

The City and the Contractor mutually agree to extend and modify the Contract.

IN CONSIDERATION of the mutual promises and obligations of the Contract, the parties agree as follows:

**1.0 EXTENSION:**

In accordance with Article 3.1, *CONTRACT TIME*, this contract is extended for an additional one (1) year period, commencing on the 9<sup>th</sup> day of January 2024.

**2.0 MODIFICATIONS:**

- 2.1 Article 3.1(A), *CONTRACT TIME – AMEND* to:  
Contract time for this Job Order Contract will commence on or about the 9<sup>th</sup> of January 2024 and will be for one (1) year.

**OTHER CONTRACT PROVISIONS:**

All provisions of the original Contract not modified above shall remain in full force and effect as previously stated.

[END OF CONTRACT-signatures on next page]

THE CITY OF SCOTTSDALE, by its Mayor and City Clerk, have subscribed their names this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

AUTHORIZATION

**CONTRACTOR:**

**CITY OF SCOTTSDALE**, a municipal corporation

VALLEY RAIN CONSTRUCTION CORPORATION,  
an Arizona corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
David D. Ortega, Mayor

ATTEST:

RECOMMENDED:

By: \_\_\_\_\_  
Ben Lane, City Clerk

By: \_\_\_\_\_  
Melanie Gibson, City Contract Administrator

CITY OF SCOTTSDALE REVIEW:

By: \_\_\_\_\_  
Alison Tymkiw, City Engineer Public Works

By: \_\_\_\_\_  
George Woods, Risk Management

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