



CITY COUNCIL AGENDA REPORT



DEPARTMENT: Public Works

MEETING DATE: June 5, 2007

PREPARED BY: David Fike, Director of Public Works *DF*

AGENDA LOCATION: CC-10

TITLE: Three-Year Extension of Contract to William Marino Enterprises for Graffiti Removal Services in the Amount of \$46,740.00 for Fiscal Year 2007-08 with a Consumer Price Index (CPI) Increase for Each Subsequent Year.

OBJECTIVE: To extend the Graffiti Removal Program Contract with William Marino Enterprises for a period of three (3) additional years, from July 1, 2007 through June 30, 2010.

BACKGROUND: The Graffiti Removal Program has been a contract service administered by our Parks Division since 1993. The service provides for the removal of graffiti from City sidewalks, buildings, signs, freeway underpasses, alleys and walls viewed from the public street.

Due to budget cuts in 2004, approximately \$10,000 was removed from his contract. Presently, services are being provided, with graffiti removed within 72 hours. Mr. Marino is well known for performing his services on the weekends to help beautify the City, his services have always been excellent.

ANALYSIS: The proposed 2007-08 fiscal year budget will reflect a \$10,000 increase, revising the weekly service from approximately 16 to 21 hours per week. Staff has negotiated with William Marino Enterprises to increase the weekly service from 16.25 hours to 20.75 hours. Mr. Marino has also agreed to improve his response time for removal from 72 hours to 48 hours. The proposed three (3) year extension is from July 1, 2007 through June 30, 2010.

William Marino Enterprises is seeking no increase for fiscal year 2007-08. For fiscal years 2008-09 and 2009-10, he is requesting an increase based on Consumer Price Index (CPI), effective July 1, 2008 and again on July 1, 2009.

FISCAL IMPACT: Funding is from the General Fund.

RECOMMENDATION: The City Council award a three (3) year contract extension to William Marino Enterprises, 355 N. Encinitas Avenue, Monrovia, CA 91016, in the amount of \$46,740.00 for Fiscal Year 2007-08, with a CPI increase for each subsequent year.

COUNCIL ACTION REQUIRED: If the City Council concurs, the appropriate action would be a motion to approve a Three-Year Extension of Contract to William Marino Enterprises for Graffiti Removal Services in the Amount of \$46,740.00 for Fiscal Year 2007-2008 with a Consumer Price Index (CPI) Increase for Each Subsequent Year.

CC-10

**AMENDMENT TO CONTRACT
GRAFFITI REMOVAL SERVICES**

This Amendment to Contract is entered into this 20th day of March 2007, by and between the City of Monrovia, a municipal corporation ("Owner"), and William Marino Enterprises ("Contractor").

WHEREAS, Owner and Contractor entered into an agreement effective September 15, 1993, wherein Contractor agreed to provide graffiti removal services for Owner ("the Contract"); and

WHEREAS, Contractor performed graffiti removal services pursuant to the Contract and Owner compensated Contractor for the performance of said services; and

WHEREAS, the present Contract expire by its terms on June 30, 2007; and

WHEREAS, the parties desired to amend the Contract to extend the term thereof;

NOW, THEREFORE, Owner and Contractor agree as follows:

Section 1. The term of the Contract is hereby extended for three (3) additional years, through June 30, 2010.

Section 2. For performance of services set forth in the Contract documents, Owner shall compensate Contractor the sum of \$46,740.00 for the period July 1, 2007 through June 30, 2008. Said amount shall include all fees, costs, and expenses incurred by Contractor in the performance of the Contract.

Section 3. a) For the period July 1, 2008 through June 30, 2009, Owner shall compensate Contractor the amount stated in Section 2, above, plus the percentage increase in the Consumer Price Index, All Urban consumers for the Los Angeles-Anaheim-Riverside Area, published by the U.S. Department of Labor, for the year ending December 31, 2007.

b) For the period July 1, 2009 through June 30, 2010, Owner shall compensate Contractor the amount paid pursuant to Section 3a, above, plus the percentage increase in the Consumer Price Index, All Urban Consumers for the Los Angeles-Anaheim-Riverside Area, published by the U.S. Department of Labor, for the year ending December 31, 2008.

Section 4. Contractor shall not be required to obtain or maintain a faithful performance bond for performance from July 1, 2007 through June 30, 2010.

Section 5. Contractor shall not be required to obtain or maintain a Payment Bond for performance from July 1, 2007 through June 30, 2010.

Section 6. All other provisions and terms of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

CITY OF MONROVIA

WILLIAM MARINO ENTERPRISES

By:

Rob Hammond
Mayor

William Marino

ATTEST:

Linda B. Proctor, MMC
City Clerk

APPROVED AS TO FORM:

Craig A. Steele
City Attorney