



Bird Rock Maintenance Assessment District

ADVISORY COMMITTEE REPORT

April 26, 2006 – Item 1

RECOMMENDATION to the Board of the BRCC:

Award contract to McCullough Landscape for a one time pruning of the Golden Medallion street trees and application of time-release fertilizer at a price of \$1400, conditioned on McCullough's use of a certified arborist and subject to the San Diego City Council's approval of the Maintenance Agreement with BRDC.

Award contract to McCullough Landscape for on-going maintenance of the existing street trees along La Jolla Boulevard from Midway to Camino de la Costa on a month to month basis at a rate of \$237.50 per month, subject to the San Diego City Council's approval of the Maintenance Agreement with BRDC.

ANALYSIS:

McCullough has provided the on-going maintenance of the La Jolla Boulevard street trees to the BRCC for the past several years. He is therefore in a unique position to provide a seamless continuation of this service as we transition from the BRCC to the BR-MAD.

McCullough proposes to continue the on-going maintenance at the current rate of \$237.50 per month. While there has been some concern about this service in the past the rate seems reasonable and will be subject to closer overview by the BR-MAD.

We anticipate that we may direct McCullough to provide one-time extraordinary services (e.g., relocate concrete pot and remove agave plant at 5628 La Jolla Boulevard) on a lump sum basis; such costs, if any, will not exceed an aggregate of \$500.

McCullough also proposes a one-time pruning and application of time-release fertilizer of the street trees at a cost of \$1400 (40 trees at \$35 each.) McCullough is well aware of the balance between a healthy and aesthetic shaping of the street trees and the need to avoid screening or blocking merchant signage. McCullough has agreed to use a certified arborist to conduct the one-time pruning and will include trim, shape and lacing. Existing tree lights will be protected to the maximum extent possible.

The City Municipal code for maintenance assessment districts (§65.0214) allows contract services under \$5000 to be awarded without competitive bid.

McCullough has the required insurance and provides for the City of San Diego and BRDC as additionally insured.

We have concluded the drafting of the maintenance agreement which provides for the BRDC's control of the BR-MAD. The agreement is expected to be approved by City Council in early May 2006. Until the City Council approves the agreement reimbursement of BR-MAD's costs is not assured.

Submitted by:

Joe LaCava
Chair, Bird Rock MAD Advisory Committee

Attachments:

McCullough Price Quote, dated April 13, 2006

McCullough Insurance Certificate, dated April 13, 2006

MC CULLOUGH LANDSCAPE

5552 Chelsea Ave.
La Jolla, CA 92037
(858)454-6414
(858)274-4845 (fax)

*Landscape * Architecture * Construction * Maintenance*

April 13, 2006

Customer: Bird Rock Maintenance Assessment District
C/O: Joe Lacava
5666 La Jolla Blvd., #168
La Jolla, CA 92037

Dear Mr. Lacava,

We are pleased to submit the following proposal to provide Landscape Maintenance and Improvements for the 5500 – 5700 blocks of La Jolla Blvd. Review the following proposal, sign and return it, if it meets your acceptance.

LANDSCAPE MAINTENANCE & IMPROVEMENTS FOR:

5500 – 5700 La Jolla Blvd.
La Jolla, CA 92037

LANDSCAPE SERVICE TO BE PROVIDED:

McCullough Landscape agrees to provide all materials and labor necessary to perform the Landscape Maintenance & Improvements as indicated in the following proposal.

For a brief description of materials and labor costs as part of this contract, please refer to page 2 of this agreement.

April 13, 2006
Bird Rock Maintenance Assessment District
Landscape Maintenance / Improvement Proposal

SCHEDULE OF FEES:

Description

Cost

Monthly Maintenance

\$237.50/mo

Trim gold medallion trees in the 5500, 5600 & 5700 blocks of La Jolla Blvd. in order to clear the walking path (approx. 8' ht.) Also, trim back branches away from buildings (approx. 5 ft.) creating a canopy above merchants' signs. Other responsibilities include weeding & cleaning tree wells.

One-Time Tree Trimming

\$1,400

Trim, shape & lace interior of trees, and apply time-release fertilizer tablets. (40 trees x \$35)

April 13, 2006
Bird Rock Maintenance Assessment District
Landscape Maintenance / Improvement Proposal

TERMS & CONDITIONS:

Prices listed herein assume the following:

Any changes in the scope of services as directed by the owner shall be clearly agreed upon prior to beginning any work.

EXCLUSION:

Spraying (pest control) is to be considered an extra cost.

Cordially,



Monty H. McCullough
(Lic. # 768409)

Acceptance

Date

NOTE: WE ARE LICENSED CALIFORNIA CONTRACTORS, BONDED AND INSURED. INSURANCE CERTIFICATES ARE AVAILABLE UPON REQUEST. CONTRACTORS ARE REQUIRED BY LAW TO BE LICENSED AND REGULATED BY THE CONTRACTORS' STATE LICENSE BOARD. ANY QUESTIONS CONCERNING A CONTRACTOR MAY BE REFERRED TO THE REGISTRAR, CONTRACTORS' STATE LICENSE BOARD, P.O. BOX 26000, SACRAMENTO, CALIFORNIA 95826

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
4/13/2006

PRODUCER WCPL Insurance Services
1022 Grand Ave
Carlsbad, CA 92009

(760) 585-0200

INSURED McCullough Landscape

Mr. Monty McCullough
5552 Chelsea Ave
La Jolla, CA 92037

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Colony Ins.	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR ANY OTHER POLICY, THE COVERAGE DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO. JECT. <input type="checkbox"/> LOC	GL3312705	10/3/2005	10/3/2006	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea occurrence) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
		OTHER BRCC as Additional Insured requested. Notice to Proceed will be withheld until provided.				
		DESCRIPTION OF OPERATIONS / LOCATION City of San Diego and its elected officials, officers, employees, agents, and representatives as additional insureds.	ASSESSMENT / SPECIAL PROVISIONS			

CERTIFICATE HOLDER

Bird Rock Maintenance Assessment District
5666 La Jolla Blvd, #168
La Jolla, CA 92037
Fax: 858-488-0176

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE