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Request for Fee Proposals

To: Prospective Landscape Maintenance Contractors
From: Port Maintenance and Operations Supervisor Wayne Nance
CC: Port Clerk M. MacLeod-Roberts, Harbormaster Duncan McPhee, Port Executive Director Angi Mozer
Date: March 12, 2015
Re: Request for Fee Proposals for 2015-2016 Landscape Maintenance Services –
PROPOSALS DUE AT 10:00AM ON Monday, March 30th, 2015

The Port District of South Whidbey Island (Port) is requesting Fee Proposals for Landscape Maintenance Services for one year (April 15, 2015 to April 14, 2016 for three (3) Port facilities, and the option for two (2) additional Port facilities:

- Clinton Beach Park (Clinton): Landscape maintenance, mowing, weed control, pruning, sprinkler maintenance and operations
- Humphrey Rd. Parking Lot & Stairs (Clinton): Regular mowing and clean-up, occasional brush control
- Phil Simon Park (Langley): Landscape maintenance, weed control, pruning, coordinate with Port staff for watering

OPTIONAL:

- Possession Beach Waterfront Park (Clinton): Landscape maintenance, mowing, pruning, brush control
- Bush Point Boat Ramp and Parking Lot (Freeland): Landscape maintenance, pruning, weed control, brush control

The full details of the work to be accomplished are specified in the attached 2015 Landscape Maintenance Services Scope of Work. The work is to be commenced in April 15, 2015 and will extend throughout the year, although the amount of time to accomplish the required services may vary by season. A flat monthly Fee for the entire year should be proposed for the complete Landscape Maintenance Services (with a breakdown by facility included for Port accounting purposes).

Fee Proposals should be submitted to the Port office (1804 Scott Road, Suite 101, Freeland, WA) no later than 10:00am on Monday, March 30th, 2015, at which time the proposals will be publicly opened and read aloud. Contractor selection will be based on the lowest total monthly Fee for the Landscape Maintenance Services for the three facilities. Qualifications and performance history will also be considered.

Potential contractors are welcome to bid on the two optional facilities. Proposals should include separate line items for each of the facilities.

Following staff review of the lowest Fee Proposal to ascertain that it is responsive and responsible, the solicitation process and the Fee Proposals will be reviewed with the Port Board of Commissioners. The Port reserves the right to reject any and all Fee Proposals. It is expected that the selected Landscape Maintenance contractor will be authorized to commence work effective April 15, 2015.

Following the start of the work, payments for work completed may be invoiced to the Port on a monthly basis, and all invoices received at the Port office by the 3rd of a month will be paid no later than the 24th of that month. The work is to be conducted according to Washington State Prevailing Wage requirements, and the contractor selected will be required to complete Prevailing Wage documentation at the outset of the project, and Affidavit of Wages Paid documentation at the conclusion, as conditions of initial and final payments respectively.

The one-year contract may be extended on an annual basis with written consent by both the Port and the contractor.

Please contact Port Maintenance and Operations Supervisor Wayne Nance (phone 206-391-2246, Email possessionpt@portofsouthwhidbey.com) with questions. We look forward to receiving your Fee Proposal.

Attachments: PoSW 2015-2016 Landscape Maintenance Services Scope of Work

Port Resolution No. 92-5 (Note toxic or hazardous substance criteria)

Port District of South Whidbey Island:
2015-2016 Landscape Maintenance Services: Scope of Work

The Scope of Work is for Landscape Maintenance Services (LMS) to be provided for three facilities owned and operated by the Port of South Whidbey. These are: Clinton Beach Park adjacent to the Clinton ferry dock, the Humphrey Road Parking Lot in Clinton, and the South Whidbey Harbor in Langley. **OPTIONAL** facilities are: Possession Beach Waterfront Park in Clinton and the Bush Point Boat Ramp and parking lot in Freeland.

General Conditions:

- As a general criteria, all facilities are intended to be kept “nice and presentable” at all times.
- No chemicals that are identified as harmful or hazardous to humans or animals may be used in the maintenance of these facilities. The Port’s non-toxics policy is specified in Port Resolution No. 92-5, a copy of which is attached to this Scope of Work and is to be followed during execution of the Services. Typically, only all-natural and/or organic products are acceptable.
- Additional work shall be approved by the Port Maintenance and Operations Supervisor and prices agreed upon prior to starting.
- *The contractor will notify the Port with advance scheduling (regular dates or 2-week look-ahead schedules) for all LMS work, subject to weather.*

Clinton Beach Park: Planting beds, gravel paths and paver areas shall be kept free of weeds, including horsetails. Grass shall be kept mowed between two and six inches tall. Weed-whacking will be needed along borders, in tight spaces, and for the utility area along the highway. Hand-weeding of the “green roof” will be needed about three times per year. Noxious weed control and hand weeding will also be needed for the planted hillside areas, more frequently in summer. Lawn clippings may be thoroughly mulched in if possible, but excess clippings should be picked up. Dead limbs and flowers shall be pruned as needed, with general pruning planned for spring and fall. Annual tree pruning should also be included. Fertilization should be planned for small trees and plants (twice per year) and lawn (four times per year). Incidental trash, plant debris & excess clippings, branches and leaves from nearby plants and trees should all be picked up, removed from the property and properly disposed of. The existing sprinkler system is to be operated and maintained by the LMS contractor, including system start-up in the spring, programming as needed during the summer watering season, and system blow-out and shut-down in the fall. Sprinkler system repairs and modifications shall be conducted by the LMS contractor, for additional cost, only as directed by and agreed to with the Port Maintenance and Operations Supervisor. Invasive and noxious weeds shall be removed from the beach areas above the high tide line, but *no other work of any kind shall be performed on the beach.* **In general, work shall start no earlier than 8 am and be completed no later than 5 pm Monday through Friday. In addition, from May 15 through September 15, no work shall take place on weekends or holidays, and all work shall be completed by noon on Fridays, unless specifically approved by the Port Maintenance and Operations Supervisor in advance.** Note: In the summer, it may be prudent to schedule work for early-in-the-week and early-in-the-day to avoid challenges with users of this busy park.

Minimum Frequencies:

- MOWING: In general, mow at least ONCE PER MONTH (except November thru February)
- “ In heavy growing season(s), mow at least TWICE PER MONTH
- WEEDING: Weed control at least ONCE PER MONTH (except November thru February)
- CLEAN-UP: Clean site at least ONCE PER MONTH, and at every visit
- PRUNING: In general, check & prune overgrown brush at least ONCE PER MONTH

Additional Work (to be determined): Occasional additional major tasks will be needed, such as complete bark/mulch renewal, gravel replacement, or rework of the play sand pile in the spring. These additional tasks will be scoped and negotiated individually and separately from the regular monthly maintenance scope as described above.

Humphrey Road Parking Lot: Grass shall be kept mowed between two and six inches tall. Weed-whacking will be needed along borders and in tight spaces. Remove moss and grass build up from around curb stops, and trim grass from cracks in asphalt when possible. Clippings may be thoroughly mulched in if possible, but excess clippings should be picked up. The parking lot and stairs should be blown off so that no plant debris is left on the parking surface or stairs. Incidental trash, plant debris & excess clippings, branches and leaves from nearby plants and trees should all be picked up, removed from the property and properly disposed of. Conduct occasional pruning of brush or weeds around the lot and *especially stairs to control overhanging branches*. Mowing, clean-up and pruning activities shall be scheduled to minimize interference with the Port's parking lot operations and the users of the parking lot. **Work shall start no earlier than 9 am and be completed no later than dusk or 8pm (whichever is earlier).**

Minimum Frequencies:

- MOWING: In general, mow at least ONCE PER MONTH (except November thru February)
- “ In heavy growing season(s), mow at least TWICE PER MONTH
- CLEAN-UP: Clean Lot & Stairs at least ONCE PER MONTH, and at every visit
- PRUNING: In general, check for overhanging/overgrown brush at least ONCE PER MONTH
- “ During heavy brush/blackberry grow season, prune & clear stairs ONCE PER MONTH

South Whidbey Harbor

Phil Simon Memorial Park: Planting beds and paver areas shall be kept free of weeds, including horsetails. Dead limbs and flowers shall be pruned as needed, with general pruning planned for spring and fall. Fertilization should be planned for small trees and plants (twice per year). Incidental trash, plant debris & prunings, branches and leaves from nearby plants and trees should all be picked up, removed from the property and properly disposed of. Care shall be taken to keep soil off the permeable pavers. Watering will be conducted by Port staff, but the LMS contractor shall advise and assist in determining appropriate watering levels. No work of any kind shall be performed seaward of the concrete wall bordering the park on the east and north sides.

General: pruning and blackberry removal from area west of truck and trailer parking to the bathrooms twice annually (Early spring and late summer).

Work shall start no earlier than 8 am and be completed no later than 5 pm Monday through Thursday or noon on Fridays. No work shall take place on Friday afternoons, weekends or holidays from May 15 through September 15 unless specifically coordinated with and approved by the Harbormaster.

Minimum Frequencies:

- WEEDING: Weed control at least ONCE PER MONTH (except November thru February)
- CLEAN-UP: Clean site at least ONCE PER MONTH, and at every visit
- PRUNING: In general, check & prune overgrown brush at least ONCE PER MONTH

OPTIONAL FACILITIES

Possession Beach Waterfront Park: Grass shall be kept mowed from two and six inches tall. Weed-whacking will be needed along borders, around signs, and in tight spaces. Remove dirt, moss, and grass build up from around curb stops, and trim grass from cracks in the asphalt when needed. Clippings may be thoroughly mulched in if possible, but excess clippings should be picked up and disposed of properly. The driveway, parking lots, and sidewalks should be blown off so that no grass and plant debris is left on the asphalt or concrete surfaces. Incidental trash, branches, and plant debris shall be picked up and disposed of properly. Pruning of weeds, brush, and blackberry bushes around the parking lots, bridges, and sidewalks should be done to keep all areas clear. **In general, work shall start no earlier than 8 am and be completed no later than 5 pm Monday through Friday. In addition, from May 15 through September 15, no work shall take place on weekends or holidays, and all work shall be completed by noon on Fridays, unless specifically approved by the Port Maintenance and Operations Supervisor in advance.** Note: In the summer, it may be prudent to schedule work for early-in-the-week and early-in-the-day to avoid challenges with users of this busy park.

Minimum Frequencies:

- MOWING: In general, mow at least ONCE PER MONTH (except November thru February)
- “ In heavy growing season(s), mow at least TWICE PER MONTH
- WEEDING: Weed control at least ONCE PER MONTH (except November thru February)
- CLEAN-UP: Clean site at least ONCE PER MONTH, and at every visit
- PRUNING: In general, check & prune overgrown brush at least ONCE PER MONTH

Additional Work (to be determined): Occasional additional major tasks will be needed, such as complete bark/mulch renewal, gravel replacement.

Bush Point Boat Ramp and Parking Lot: Grass shall be kept mowed from two and six inches tall. Weed-whacking will be needed along borders, around signs, and in tight spaces. Remove dirt, moss, and grass build up from around curb stops, and trim grass from cracks in the asphalt when needed. Clippings may be thoroughly mulched in if possible, but excess clippings should be picked up and disposed of properly. The driveway, parking lots, and sidewalks should be blown off so that no grass and plant debris is left on the asphalt or concrete surfaces. Incidental trash, branches, and plant debris shall be picked up and disposed of properly. Pruning of weeds, brush, and blackberry bushes around the parking lots, bridges, and sidewalks should be done to keep all areas clear. Maintain landscape islands in parking lot area. **In general, work shall start no earlier than 8 am and be completed no later than 5 pm Monday through Friday. In addition, from May 15 through September 15, no work shall take place on weekends or holidays, and all work shall be completed by noon on Fridays, unless specifically approved by the Port Maintenance and Operations Supervisor in advance.** Note: In the summer, it may be prudent to schedule work for early-in-the-week and early-in-the-day to avoid challenges with users of this busy park.

Minimum Frequencies:

- MOWING: In general, mow at least ONCE PER MONTH (except November thru February)
- “ In heavy growing season(s), mow at least TWICE PER MONTH
- WEEDING: Weed control at least ONCE PER MONTH (except November thru February)
- CLEAN-UP: Clean site at least ONCE PER MONTH, and at every visit
- PRUNING: In general, check & prune overgrown brush at least ONCE PER MONTH

Additional Work (to be determined): Occasional additional major tasks will be needed, such as complete bark/mulch renewal, gravel replacement.

RESOLUTION NO. 92-5

A RESOLUTION amending
Resolution No. 90-1 relating
to the interference with
public use and enjoyment

WHEREAS, the Board of Commissioners desire to expand the scope of Section VIII as set forth herein to include any toxic or potential hazards or excessive noises caused to the Port property and its residents, Now Therefore,

BE IT RESOLVED by the Board of Commissioners of the Port of South Whidbey Island that Section VIII of Resolution No. 90-1 shall be amended to read as follows:

In the event that any materials placed upon or within the jurisdiction of the Port of South Whidbey Island at Possession Beach Waterfront Park or on or at any other property owned by the Port of South Whidbey Island which constitutes a toxic or hazardous substance, or prohibited noises as defined herein, such placement shall be an added offense entitled "Interference with Public Use and Enjoyment" and the following provisions shall apply:

8.1 Definition of Toxic or Hazardous Substance. "Toxic" or "hazardous" substance includes, but is not limited to, any material or substance which is (1) defined as a "hazardous substance" pursuant to Section 101 of the Comprehensive Environmental Response, Liability and Compensation Act, 42 U.S.C. 9601 (14), Section 311 of the Federal Water Pollution Control Act, 33 U.S.C. 1321; or under the Washington Model Toxic Control Act, RCW 70.105D.020; (2) defined as a hazardous waste" pursuant to Section 1004 or Section 3001 of the Resource, Conservation and Recovery Act, 42 U.S.C. 6903, 42 U.S.C. 621; (3) included on the toxic pollutant list under Section 307(1) of the Federal Water Pollution Control Act, 33 U.S.C. 1317 (1); (4) defined as a "hazardous air pollutant" under Section 112 of the Clean Air Act, 42 U.S.C. 7412; (5) defined as a "hazardous material" under the Hazardous

Material Transportation Act, 49 U.S.C. 1801 et. seq.; (6) designated as hazardous toxic pursuant to regulations promulgated under the aforementioned laws; or (7) classified as hazardous or toxic under other applicable Port of South Whidbey or other local, state or federal laws or regulations. "Toxic" or "hazardous" substances specifically includes, but is not limited to, asbestos,

polychlorinated biphenyls (PCBs), petroleum products, and urea formaldehyde.

8.2 Definition of Prohibited Noises. Prohibited noise is that noise which exceed the noise control standards or in violation of the noise control regulations which have been adopted pursuant to the following federal or Washington State statutes or the requirement of the Port District of South Whidbey Island: 49 U.S.C. 4901 thru 4918 (relating to the control and abatement of aircraft noise and sonic boom) and RCW Chapter 70.107 (relating to noise control). Except as may be otherwise expressly preempted by federal or state statutes, the Port District of South Whidbey Island establishes that the noise on or at the properties of the Port District of South Whidbey Island shall not exceed 55 decibels, which is found to be the safe and healthy standard over and at the properties of the Port District of South Whidbey Island.

8.23 Liability. Liability for the placement of the toxic or hazardous substances or the making of prohibited noise within the jurisdiction of the Port District of South Whidbey Island and at Possession Beach Waterfront Park or on any property owned or leased by the Port of South Whidbey Island shall be joint and several and shall extend to any persons, corporations, officers, agents, employees or others under control of any such corporation, partnership, or other legally identified entity, including the Board of Directors of any such entities, including, but not limited to, owners, manufacturers and transporters of toxic or hazardous substances.

8.34 Presumptive Baseline of Environment. The Port Commission finds that at the time of enacting this legislation the Possession Beach Waterfront Park property owned by the Port District of South Whidbey and any other properties of the Port of South Whidbey Island are without any toxic or hazardous substances at any location throughout any of the subject property, including tidelands, beaches and uplands; and it shall be presumed that this status quo exists immediately prior to any violation of this Section.

8.5 Nuisance. That the existence of toxic or hazardous substances or excessive noise in violation of the applicable Port District of South Whidbey Island, state or federal statutes and regulations affecting the property of the Port of South Whidbey Island shall be deemed a nuisance. The Port of South Whidbey Island is authorized, if it deems appropriate, to institute legal proceeding to abate such nuisance.

8.46 Civil Penalties. In addition to all other penalties imposed for violation of the regulations established by this ordinance, the following additional civil penalties shall apply to violation of this Section VIII.

- A. A Civil penalty of ONE THOUSAND DOLLARS (\$1,000.00) per day or any part thereof for a period of time when the Park is partially closed as a result of a violation of this regulation or any other violations of these regulations.
- B. A Civil penalty of FIVE THOUSAND DOLLARS (\$5,000.00) per day or any part thereof for a period of time when the Park is closed, pursuant to a resolution of the Port Commissioners, as a result of a violation of this regulation or any other violation of these regulations.
- C. A Civil outrage penalty shall be imposed for second or subsequent violations, which shall be the penalty otherwise due under Paragraph A or B above times the number of such violations.
- D. Cost for all investigation, testing, removal, clean up or remediation on site or off site as a result of a violation of this section.
- E. Any legal or administrative costs incurred by the Port District in the investigation, site monitoring, containment, clean up, removal, restoration, or remediation of any such toxic or hazardous substances or prohibited noise set forth herein.
- F. Any party found in violation of this Section shall indemnify and hold harmless the Port District of

South Whidbey, its agents or assigns from any and all third party claims arising out of or otherwise connected to the violation.

8.7 Severability. If any provision of this Resolution or its application to any person or circumstances is held invalid, the remainder of the Resolution or the application of the provision to other persons or circumstances is not affected.

ADOPTED at an open meeting on the 17th day of
July, 1992.

Kenneth O'Mhuan
COMMISSIONER

Dorothy H. Cleveland
COMMISSIONER

Jack Eskanazi
COMMISSIONER