

CITY COUNCIL AGENDA REPORT

April 20, 2021
Library and Recreation

TITLE: APPROVE SEVENTH AMENDMENT TO THE AGREEMENT WITH MONTE VISTA MEMORIAL INVESTMENT GROUP IN THE AMOUNT NOT TO EXCEED \$210,020 FOR BURIAL SERVICES AND GROUNDS MAINTENANCE AT THE PLEASANTON PIONEER CEMETERY

SUMMARY

Monte Vista Memorial Investment Group (Monte Vista) was selected by the City of Pleasanton to provide grounds maintenance and burial services for the Pleasanton Pioneer Cemetery (Cemetery) in December 2016. Since that time, improvements for Phases I-IV of the Pioneer Cemetery Master Plan (Master Plan) have been implemented. These improvements have increased the cost of ongoing landscape and irrigation maintenance fees charged by Monte Vista.

RECOMMENDATION

Approve the Seventh Amendment to the Agreement with Monte Vista Memorial Investment Group in the amount not to exceed \$210,020 for burial services and grounds maintenance at the Pleasanton Pioneer Cemetery.

PARKS AND RECREATION COMMISSION RECOMMENDATION

Recommend City Council approve the Seventh Amendment to the Agreement with Monte Vista Memorial Investment Group in the amount not to exceed \$210,020 for burial services and grounds maintenance at the Pleasanton Pioneer Cemetery.

FINANCIAL STATEMENT

The total not to exceed amount of the proposed contract for fiscal years 2020/21 and 2021/22 (calendar year 2021) is \$210,020. In fiscal year 2018/19, the revenue received by the City for burials was \$161,242. In fiscal year 2019/20, the revenue received by the City for burials was \$223,857. The Cemetery operates as an enterprise fund, with operating revenues mostly off-setting operating expenditures. Operating expenditures include the contract with Monte Vista for grounds maintenance and grave digging, the contract with Graham Hitch for plot sales and burial services, City staff time, and all utilities. The City's General Fund provides a \$50,000 subsidy to the Cemetery Fund. Cemetery revenues and expenditures are allocated in accounts 40150220-430101 and 40250222-430101.

BACKGROUND

In December 2016, a contract was awarded to Monte Vista to perform burial services, marker installation, and grounds maintenance at the Cemetery (Attachment 2). Since that time, the Cemetery has had an increase in expected sales and burials, resulting in an increase in the service fees charged by Monte Vista. At the initial acquisition of the Cemetery, the annual burial total was estimated at 12. The Cemetery has had up to 50 burials per calendar year since that time.

The First Amendment to the Agreement increased the amount of the contract to a not to exceed amount of \$82,190 to cover the higher than expected number of burials (Attachment 3).

The Second Amendment extended the term on the contract for an additional year and increased the not to exceed amount of the contract to \$100,000. This increase in contract amount was for increased burials, additional grounds maintenance, removal of cemetery décor per the approved Rules and Regulations, cleaning of headstones, leveling of existing gravesites, and increased labor costs for the contractor (Attachment 4).

The Third Amendment extended the term of the contract for an additional year and increased the not to exceed amount of the contract to \$150,000. This increase in contract cost was due to increased labor costs for Monte Vista as well as increased burials. In addition, the cost for holiday burials was increased to match the weekend rates for the laborers (Attachment 5).

The Fourth Amendment temporarily extended the term of the contract for an additional month to allow time for the two parties to negotiate a new scope of work and seek City Council approval (Attachment 6).

The Fifth Amendment extended the term of the contract for an additional year, expanded the contractor's scope of work to include maintenance of the new Phase III improvements, and increased the not to exceed amount to \$184,580. The increase in contract cost was due to additional infrastructure, and increased labor costs (Attachment 7).

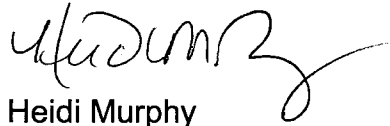
The Sixth Amendment extended the term of the contract for an additional year, and all other terms of the Fifth Amendment remain intact (Attachment 8).

DISCUSSION

The proposed Seventh Amendment increases the total not to exceed amount of the contract to \$210,020. This increase in contract cost is due to increased maintenance and grave digging costs for Monte Vista based upon the installation of the Phase IV improvements. Improvements include additional landscaping, irrigation, and walkways.

Monte Vista has been an excellent partner in cemetery operations—meeting the burial needs of the community and improving the appearance of the Cemetery.

Submitted by:



Heidi Murphy
Director of Library and Recreation

Fiscal Review:



Tina Olson
Director of Finance

Approved by:



Nelson Fialho
City Manager

Attachment:

1. Seventh Amendment

SEVENTH AMENDMENT TO AGREEMENT

This Seventh Amendment to Agreement ("Seventh Amendment") is entered April 20, 2021 by the City of Pleasanton ("City") and Monte Vista Memorial Investment Group (MVMIG), LLC, a Limited Liability Corporation whose address is 189 Contractors Street, Livermore, CA 94551, and telephone number is 408-499-2197 ("Contractor").

Whereas, City and Contractor entered into a Professional Services Agreement for burial services, marker installation, and ground maintenance services on December 7, 2016, as amended by the First Amendment dated November 17, 2017, the Second Amendment dated December 27, 2017, the Third Amendment dated February 5, 2019, the Fourth Amendment dated January 1, 2020, the Fifth Amendment dated January 21, 2020, and the Sixth Amendment dated January 1, 2021 (collectively the "Agreement"); and

Whereas, the parties desire to provide for additional compensation for grounds maintenance and irrigation maintenance, to include the new improvements added to the South Hill starting on April 20, 2021 and increase to existing maintenance agreement and burial services through December 31, 2021.

Now, therefore, in exchange for valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

- A. Section 4. of the Agreement, "Compensation" is amended to provide for additional compensation of \$21,690 based on increases to monthly fees billed at: \$7500 per month for grounds maintenance and \$500 per month for irrigation maintenance. This additional maintenance compensation for calendar year 2021 is in addition to the compensation already provided for in the Agreement for burial services, marker installation, and any extra work up to \$15,000 approved by the City's Parks Maintenance Superintendent.
- B. Exhibit A, Scope of Consultant's Services, "Burial Services" is amended to read:

Burial Services		
Interments	Weekday	Weekend and Holiday
Open & Closing of Grave - Casket Vault Burials Preparing graveside for services	\$1250	\$1575
Open & Closing of Grave – Urn Vault Burials Preparing graveside for services	\$575	\$660
Installation of Cement Vaults Single/Double	\$1575/1900	\$2100/2500
General Consulting on Cemetery		
Andy Martinez	\$200	

Disinterment's		
Casketed Remains	\$2000	\$2800
Cremated Remains	\$725	\$925
Crypt	Request Quote	
Niche	Request Quote	
Grave Markers & Monuments		
Installation of Flat Marker	\$340	\$420
Repair of Existing Marker or Monument	Request Quote	
Flat Marker Fabrication		
Flat Marker Fabrication. (Fee in addition to installation fee.)	\$210	\$315
Flat Marker Removal	\$100	\$150

Cost for "Extra Work"	
The listed hours and prices include the composite price for labor and equipment, including all incidental power tools, hand tools and vehicles, as well as all overhead costs. Excludes specialty tools required for unique situations.	
Staff Position	Loaded Hourly Rate by Position
Site Supervisor, Senior Maintenance and Cemetery	\$82
Senior Cemetery Ground Keeper	\$50
Maintenance and Cemetery Services	\$50

Other than as amended above, the Agreement remains in full force and effect.

In witness whereof, authorized representatives of the parties have executed this Seventh Amendment to the Agreement as of the date first above written.

CITY OF PLEASANTON

CONTRACTOR

Monte Vista Memorial Investment Group, LLC

Nelson Fialho, City Manager

By:

Signature

Print name

ATTEST:

Karen Diaz, City Clerk

APPROVED AS TO FORM:

Daniel G. Sodergren, City Attorney

Title: _____

*[If Consultant is a corporation, signatures must comply
with California Corporations Code §313]*

By: _____
Signature

Print name

Title: _____