



June 2, 2016

Fort Bend County  
Cheryl Krejci, CPPB  
Senior Buyer  
Purchasing Department

Re: Fort Bend County Bid 15 – 040 Term Contract for Mowing and Maintenance Services of Freedom Park Baseball Fields

Dear Ms. Krejci,

BIO Landscape & Maintenance, Inc. would like to re-new this contract with a request of a 4% rate increase at this time due to the inclination of costs in our insurance, and our seasonal work force rates in our H2B Visa Program. The DOL changed our hourly workforce rates from \$9.52/hr to a mandatory rate of \$11.37/ hr per employee.

Current Pricing

Proposed 4% Increase Pricing

Cost per month - \$1,153.60

\$1,199.74

We have enjoyed working with Fort Bend County on this project and would like to continue to service the contract through September 30, 2017. We will put forth our best effort to grow and strengthen our relationship. Thank you for the opportunity.

Sincerely,

Bryan Hose  
Certified Arborist TX-3534A  
Director of Maintenance Operations  
BIO Landscape & Maintenance, Inc.

## Krejci, Cheryl

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**From:** Hose, Bryan <bhose@yellowstonelandscape.com>  
**Sent:** Thursday, June 09, 2016 4:18 PM  
**To:** Krejci, Cheryl  
**Cc:** Weaver, Norma  
**Subject:** FW: Price increase justification  
**Attachments:** April 29 Federal Register.pdf

Cheryl – see attached price increase justification (and below)..

As you can see our costs incurred are more of a percentage than the modest rate increase that we requested ☺. Cause we love working with you guys.

Please let me know if any further info is needed - THX

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**From:** Tetrault, Rob  
**Sent:** Thursday, June 09, 2016 3:26 PM  
**To:** Hose, Bryan <[bhose@yellowstonelandscape.com](mailto:bhose@yellowstonelandscape.com)>  
**Subject:** Price increase justification

Bryan,  
Below is the information Tim had sent me regarding wage increases. I am not sure what conversations you have had, so I thought I would send this to you and let you pick what to send to them. I also attached the federal register document that the bullet points below reference.

Interestingly, the latest OES wage is now showing mean average wage as \$11.75, \$.40 higher than we were originally faced with for this year.

### In #1 (Wage Rules)

- See page 24148m 3<sup>rd</sup> column half way down. Jan 2011 DOL determined no skill based wage differences. Last paragraph – new methodology (then, eliminated skill based or 4 tiered OES wages).
- Page 24150 – 3<sup>rd</sup> column. Details the court eliminating private wage surveys
- Page 24158, 3<sup>rd</sup> column last paragraph – DOL wants and expects labor costs to rise, and hence companies to raise prices (ignores undocumented/illegal labor impact on market).
- Page 24160 – LONG summary of the DOL’s debate on including vs excluding DBA and SCA based wages begins. PAGE 24165 – 3<sup>RD</sup> COLUMN, FIRST NEW PARAGRAPH SAYS ELIMINATING THOSE BECAUSE THEY CAN AND BECAUSE THEY CAN (and they want wages to rise)

### In #1 (new h2b program rules)

- Page 24052, 3<sup>rd</sup> column “b” details the “corresponding employment” rule. Basically says anything you offer an h2b worker, you have to offer a US worker. So \$11.35 becomes minimum wage for all US landscape workers in your company on the date that you employ ONE H2B worker during the 2016 season.

In 2013 we were at \$8.16 per hour entry level and h2b wage. DOL Skill level based entry level wage

In 2014 we were at \$9.01 per hour, using a private wage survey. A court invalidated private wage surveys in December of 2014 (based on an activist lawsuit in PA federal court)

In 2015 we were at \$9.52 per hour – using the Davis Bacon wage for commercial landscaping

In 2016 we will be at \$11.35 based on the new DOL requirement to use the OES wage. 20% increase over 2015.

- 1) DOL website showing the OES wage. Click on 37. Row 37-3011 – Grounds keepers – will show required minimum wage of 11.35 per hour. Click on the title (Groundskeepers and landscaping workers) and will show the old entry level wage which is now up to \$8.57 per hour.

[http://www.bls.gov/oes/current/oes\\_26420.htm](http://www.bls.gov/oes/current/oes_26420.htm)

**Rob Tetrault** | Senior Financial Planner and Analyst

Yellowstone Landscape

10892 Shadow Wood Drive, Houston, TX 77043

Ph: 713.462.8552 ext. 829 | Fax: 713.690.6461 | Cell: 678-642-7477 | [www.yellowstonelandscape.com](http://www.yellowstonelandscape.com)

**Fort Bend County Tabulation  
 Bid 15-040  
 Term Contract for Mowing and Maintenance Services  
 of Freedom Park Baseball Fields**

**Awarded Commissioners Court 12/16/14: Bio Landscape and Maintenance**

**Term: through 30 September 2015  
 Renewal Term 1 October 2015 through 30 September 2016**

**\*Amended 3/3/15 \*\*Amended 7/28/15 Effective Date 10/1/15**

Company	Price per Month
Bio Landscape and Maintenance, Inc. Houston	**\$1153.60
Growth Services, Inc. Spring	\$1,784.00
Greenmark Environmental Richmond	\$2,800.00
Houston Grotech Services	Disqualified: Failed to provide proof of insurance as required.
Sanchez Landscape Irrigation	Disqualified: Failed to provide proof of workers compensation nor automobile insurance as required.
Lawson Number: 11910	

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY  
CERTIFICATION OF FILING**

Certificate Number:  
2016-64141

Date Filed:  
06/01/2016

Date Acknowledged:

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**

Yellowstone Landscape-Central, Inc.  
Houston, TX United States

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**

Fort Bend County

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**

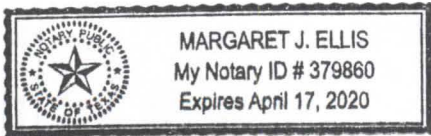
B15-040  
Term Contract for Mowing and Maintenance Services of Freedom Park Baseball Fields

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Portland, Tim	Houston, TX United States	X	
	Sivils, Jim	Houston, TX United States	X	

5 Check only if there is NO Interested Party.

**6 AFFIDAVIT**

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



*[Handwritten Signature]*  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Albert TetraULT, this the 1st day of June, 2016, to certify which, witness my hand and seal of office.

*Margaret J. Ellis*      Margaret J. Ellis      Office Manager  
Signature of officer administering oath      Printed name of officer administering oath      Title of officer administering oath

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Yellowstone Landscape-Central, Inc.  
Houston, TX United States

**Certificate Number:**  
2016-64141

**Date Filed:**  
06/01/2016

**Date Acknowledged:**  
09/27/2016

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**

Fort Bend County

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**

B15-040  
Term Contract for Mowing and Maintenance Services of Freedom Park Baseball Fields

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	Sivils, Jim	Houston, TX United States	X	

**5 Check only if there is NO Interested Party.**

**6 AFFIDAVIT**

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

\_\_\_\_\_  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said \_\_\_\_\_, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, to certify which, witness my hand and seal of office.

\_\_\_\_\_  
Signature of officer administering oath      Printed name of officer administering oath      Title of officer administering oath