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**To:** [Carolyn Wurdeman](#); [Chris Eggen](#); [Chris Roberts](#); [Doris McConnell](#); [Jesse Salomon](#); [John Norris](#); [Keith McGlashan](#); [Shari Winstead](#); [Will Hall](#)  
**Subject:** ROW Landscape Contract for tonight  
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Council –

You have probably seen several e-mails today regarding the contract for TruGreen LandCare and concerns with suggestions of a history of herbicide and pesticide use and abuse. We have been able to clarify that the articles provided by Janet Way referred to TruGreen ChemLawn – a separate entity from TruGreen LandCare. I have provided this information to her and below for your information.

Today we received two articles regarding TruGreen ChemLawn concerned about environmental practices of this company if it were awarded the City's landscape contract. One related to declining company value because of a continued business model emphasizing herbicides in lawn care. The other related unsubstantiated rumors of dumping of chemicals by the Ohio branch in 2002.

First, the recommended Shoreline contract proposal will continue to bar the use of herbicides in maintaining landscaping and this contract requirement will be closely monitored and enforced.

Second, the concern about TruGreen ChemLawn is a case of mistaken identity. TruGreen ChemLawn is not TruGreen LandCare LLC which was the low bidder on the Shoreline contract. In 2000 both True Green ChemLawn and True Green LandCare, Inc were subsidiaries of Service Master, a holding company that includes many unrelated service companies. The two operated as separate companies under separate management. Service Master renamed LandCare Inc. to TruGreen LandCare thereby creating the current confusion, but neither has been connected except through investor ownership. Moreover, before the recent articles, TruGreen LandCare LLC was purchased by the Aurora Group from Service Master in 2011 and has had no connection to TruGreen ChemLawn after that date even through ownership by a parent company.

Finally, public entities are required to apply responsibility criteria in disqualifying low bidders to create a fair opportunity for bidders and to protect the benefit of lowest price for taxpayers. Some of these are mandatory criteria under state statute, and supplemental responsibility criteria may be used by the city if they are published in the bid documents with appeal rights if used to pass over a low bidder.

The landscape contract included two supplemental criteria. The first is 3 years similar projects experience, with 2 yrs working on medians of high volume multi-lane principal arterials. The second was successful timely contract performance. Neither articles submitted would have been sufficient grounds to disqualify TruGreen LandCare LLC even if they were written about this company.

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