



## Legislation Details (With Text)

**File #:** 3475-2023      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/29/2023      **In control:** Public Utilities Committee

**On agenda:** 12/11/2023      **Final action:** 12/14/2023

**Title:** To authorize the Director of Public Utilities to modify the Indefinite Quantity Agreement Contract with Williams Forestry & Associates, LLC for the Reservoir Restoration Project; to authorize the expenditure of \$600,000.00 from the Water Operating Fund; and to declare an emergency. (\$600,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 3475-2023 Bid Tabulation, 2. 3475-2023 Financial Coding, 3. 3475-2023 Info Sheet

Date	Ver.	Action By	Action	Result
12/14/2023	1	ACTING CITY CLERK	Attest	
12/13/2023	1	MAYOR	Signed	
12/11/2023	1	COUNCIL PRESIDENT	Signed	
12/11/2023	1	Columbus City Council	Approved	Pass

### **BACKGROUND:**

To authorize the Director of Public Utilities to modify the Indefinite Quantity Agreement Contract with Williams Forestry & Associates, LLC for the Reservoir Restoration Project (Tree & Shrub Plantings at Hoover & O'Shaughnessy Reservoirs). This contract will be used to maintain the shoreline at the Hoover and O'Shaughnessy Reservoirs by planting trees, shrubs and for herbicide treatment of invasive species.

The Department of Public Utilities solicited competitive bids for the Reservoir Restoration Project in accordance with the relevant provisions of Chapter 329 (RFQ025146). Fifty-six (56) vendors (1 EBE/MBE, 1 EBE/WBE, 46 MAJ, 6 MBE, 1 MBE/WBE, 1 WBE) were solicited and three (1 EBE/MBE and 2 MAJ) bids were received on July 12, 2023.

The lowest bidder, Ironsite, Inc. f/k/a Facemeyer Company failed to include the installation costs in the pricing of the trees and shrubs which was a requirement of the specifications, therefore, they have been deemed non-responsive.

The next lowest bidder, Davey Resource Group provided pricing for only 30 days after the bid opening, the bid specification required 180 days, they have been deemed non-responsive.

Therefore, the Division of Water recommended that the award be made to Williams Forestry & Associates, LLC as the most responsive, responsible and best bidder.

The term of this contract is for one (1) year from the date of execution by the City. The contract language allows for two (2) one (1) year renewal options on a year to year basis upon mutual agreement, availability of funds, and approval by Columbus City Council. This contract shall not automatically renew. The original legislation encumbered \$300,000.00 for this contract. The Division of Water now seeks to modify this contract to add \$600,000.00 in funding to allow for additional work to be completed within the scope of the original contract.

**SUPPLIER:** Williams Forestry & Associates, LLC, vendor #044891 expires 3/28/25, majority status

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

1. Amount of additional funds: Total amount of additional funds needed for this contract modification is \$600,000.00. Total contract amount including this renewal is \$900,000.00.

2. Reason additional funds were not foreseen: The potential need for additional funds was known and provided for at the time of the initial contract.

3. Reason other procurement processes were not used: Work under this modification is a continuation of services included in the scope of the original contract. No lower pricing/more attractive terms and conditions are anticipated at this time.

4. How was cost determined: Through the competitive bidding process.

**EMERGENCY DESIGNATION:** The Department of Public Utilities respectfully requests this legislation be considered as an emergency in order to begin planting to prevent further erosion of the shoreline.

**FISCAL IMPACT:** \$600,000.00 is budgeted and needed for this purchase.

\$0.00 was spent in 2022

\$0.00 was spent in 2021

To authorize the Director of Public Utilities to modify the Indefinite Quantity Agreement Contract with Williams Forestry & Associates, LLC for the Reservoir Restoration Project; to authorize the expenditure of \$600,000.00 from the Water Operating Fund; and to declare an emergency. (\$600,000.00)

**WHEREAS,** the Department of Public Utilities solicited bids for Reservoir Restoration Project (RFQ025146); and

**WHEREAS,** the contract will be used to maintain the shoreline at the Hoover and O'Shaughnessy Reservoirs by planting trees, shrubs and for herbicide treatment of invasive species; and

**WHEREAS,** three (3) bids were received and opened by the Director of Public Utilities on July 12, 2023; and

**WHEREAS,** the lowest bidder, Ironsite, Inc. f/k/a Facemeyer Company failed to include the labor cost in the items quoted which deemed them non-responsive;

**WHEREAS,** the next lowest bidder, the Davey Resource Group, provided pricing for only 30 days after the bid opening, the bid specification required 180 days, they have also been deemed non-responsive;

**WHEREAS,** the Department of Public Utilities recommended the award be made for all items as the most responsive, responsible and best bidder, Williams Forestry & Associates, LLC; and

**WHEREAS,** this contract will be in effect from the date of execution and upon mutual agreement of the parties, availability of funds, and approval by the Columbus City Council, this contract can be renewed for two (2) additional one (1) year terms; and

**WHEREAS,** the original legislation encumbered \$300,000.00 for this contract. The Division of Water now seeks to modify this contract to add \$600,000.00 in funding to allow for additional work to be completed within the scope of the

original contract; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Water, in that it is immediately necessary to authorize the Director to modify an Indefinite Quantity Agreement Contract with Williams Forestry & Associates, LLC for the Reservoir Restoration Project to prevent further erosion of the shorelines, all for the immediate preservation of the public health, peace, property, safety and welfare; and **NOW, THEREFORE**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Public Utilities be and is hereby authorized to modify the Indefinite Quantity Agreement Contract for the Reservoir Restoration Project with Williams Forestry & Associates, LLC per the terms and conditions of RFQ025146 on file in the Department of Public Utilities.

**SECTION 2.** That said firm shall conduct the work to the satisfaction of the Director of Public Utilities.

**SECTION 3.** That this agreement will be in effect for one year from the date of execution and, upon mutual agreement, funds availability, and approval by the Columbus City Council this contract can be renewed for two (2) additional one (1) year terms.

**SECTION 4.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 5.** That the expenditure of \$600,000.00 is authorized in Fund 6000 (Water-Operating) in object class 03 Services per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, which shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.