



## Legislation Text

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**File #: 0789-2024, Version: 1**

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### **BACKGROUND:**

To authorize the Director of Public Utilities to renew for an additional year and modify to add funding for the 2024 year to the 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 contract term was for one year from the date of execution to and including October 31, 2024. 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. If unforeseen issues or difficulties are encountered that would require additional funding, a modification would be requested. This contract shall not automatically renew.

Ordinance #2734-2023 authorized the original contract. Ordinance #3475-2023 authorized Modification #1 to add funding to the contract. This Ordinance will renew and modify to add additional funding and to extend the contract through October 31, 2025. This Ordinance is being submitted in accordance with the relevant provisions of Chapter 329 of City Code pertaining to contract renewals and modifications.

**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 \$300,000.00. Total contract amount including this renewal is \$1,200,000.00.

2. Reason additional funds were not foreseen: The potential need for additional funds were known and provided for at the time of the initial contract. This funding increase is to provide the additional funding necessary for the payment of services to be provided through October 31, 2025.

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 cost was determined: The cost, terms and conditions are in accordance with the original agreement.

**FISCAL IMPACT:** \$300,000.00 is budgeted and needed for this purchase.

\$282,814.50 was spent in 2023

\$0.00 was spent in 2022

To authorize the Director of the Department of Public Utilities to renew for an additional year and modify the contract with Williams Forestry & Associates, LLC for the Reservoir Restoration Project; and to authorize the expenditure of \$300,000.00 from the Water Operating Fund. (\$300,000.00)

**WHEREAS,** the Department of Public Utilities solicited competitive bids for the Reservoir Restoration Project in accordance with the relevant provisions of Section 329 (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,** the Department of Public Utilities entered into a contract for the Reservoir Restoration Project with Williams Forestry & Associates, LLC; and

**WHEREAS,** 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; and

**WHEREAS,** the Department of Public Utilities wishes to renew for an additional year and to provide funding for services through October 31, 2025; and

**WHEREAS,** the vendor has agreed to modify and increase the contract at current prices and conditions; and

**WHEREAS,** it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Director to renew for an additional year and modify a contract with Williams Forestry & Associates, LLC for the Reservoir Restoration Project; **NOW, THEREFORE,**

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

**SECTION 1.** That the Director of the Department of Public Utilities be and is hereby authorized to renew for an additional year and modify the 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 1.** That the Director of the Department of Public Utilities be and is hereby authorized to renew for an additional year and modify to add funding to a contract with Williams Forestry & Associates, LLC for the Reservoir Restoration project in accordance with the terms and conditions as shown in the agreement on file.

**SECTION 2.** That the expenditure of \$300,000.00 or so much thereof as may be needed, \$300,000.00 is hereby authorized in Fund 6000 (Water Operating Fund) in object class 03 Services per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That said firm shall conduct the work to the satisfaction of the Director of the Department of Public Utilities.

**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 City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

**SECTION 6.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.