



Legislation Details (With Text)

File #: 2384-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 8/27/2018 **In control:** Public Utilities Committee

On agenda: 9/24/2018 **Final action:** 9/27/2018

Title: To authorize the Director of Public Utilities to modify and increase the contract with Asplundh Tree Expert, LLC for the Power Line Clearance, Tree Trimming and Removal Services for the Division of Power; to modify all contracts and agreements with Asplundh Tree Expert Company by assigning all past, present and future contracts and agreements to Asplundh Tree Expert, LLC; to authorize the expenditure of \$120,000.00 from the Electricity Operating Fund, and to declare an emergency. (\$120,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 2384-2018 Financial Coding - Power Line Clearance, Tree Trimming & REmoval Svc - Mod #3, 2. ORD 2384-2018 Power Line Clearance, Tree Trimming & Removal Svc - Mod #3 - Addtl Info Form, 3. ORD 2384-2018 Power Line Clearance, Tree Trimming & Removal Svc - Mod #3 - Sub Work ID Form, 4. ORD 2384-2018 Power Line Clearance, Tree Trimming & Removal Svc - Mod #3 - W9 form

Date	Ver.	Action By	Action	Result
9/27/2018	1	CITY CLERK	Attest	
9/26/2018	1	MAYOR	Signed	
9/24/2018	1	COUNCIL PRESIDENT	Signed	
9/24/2018	1	Columbus City Council	Approved	Pass

This legislation authorizes the Director of Public Utilities to modify and increase the service contract with Asplundh Tree Expert, LLC (formerly known as Asplundh Tree Expert Company) for Power Line Clearance, Tree Trimming and Removal Services for the various Divisions within the Department of Public Utilities. This current modification No. 3, in the amount of \$120,000.00, is for use by the Division of Power. This service contract provides power line clearance, tree trimming and removal services associated with the maintenance of the City's electric distribution systems and related infrastructure throughout the Department of Public Utilities. Work will be performed within the City of Columbus corporation limits or other areas serviced by City agencies.

The Director of Public Utilities publicly opened two bids on January 18, 2017. Asplundh Tree Experts Company was deemed to be the lowest, best, most responsive and responsible bid.

The original contract was for a period of one (1) years from the date of execution through and including April 10, 2018 with the option to renew for an additional one (1) year period. After the initial two years, the contract can then be extended for two (2) additional one (1) periods, or portion thereof based upon mutual agreement, availability of funding and approval by Columbus City Council. The contract provided for the provision that if additional funding is necessary a modification would be requested. The Division of Power did not have all of the funding established at the beginning of 2018. This modification is to provide the additional funding necessary for the payment of services to be provided through April 10, 2019.

The vendor recently changed their status from a Company to a LLC, but the EIN number did not change. This Ordinance

is to authorize the assignment of all past, present and future business done by the City of Columbus with Asplundh Tree Expert Company, EIN #23-1277550 to be assigned to Asplundh Tree Expert, LLC, EIN #23-1277550 and is being submitted in accordance with the relevant provisions of Chapter 329 of the City Code pertaining to contract modifications.

SUPPLIER: Asplundh Tree Expert, LLC Dax Vendor #001744, (EIN #23-1277550), Expires February 2, 2019
Asplundh Tree Expert, LLC does not hold MBE/FBE 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 No. 3 is ADD \$120,000.00 (for the Division of Power). Total contract amount including this modification is \$881,107.76.
2. Reasons additional funds were not foreseen: The need for additional funds was known at the time of the initial contract. The Division of Power did not have all of the funding established at the beginning of 2018. This modification is to provide the additional funding necessary for the payment of services to be provided through April 10, 2019.
3. Reason other procurement processes were not used: Work under this modification is a continuation of services included in the scope of the original bid contract. No lower pricing/more attractive terms and conditions are anticipated at this time.
4. How was cost determined: The cost, terms and conditions are in accordance with the original agreement.

FISCAL IMPACT: A total of \$120,000 in additional funding is budgeted and needed for this contract modification for the Division of Power.

\$416,107.76 was spent in 2017 (Div. of Water & Div. of Power)

\$399,021.80 was spent in 2016 (Div. of Water & Div. of Power)

EMERGENCY DESIGNATION: This ordinance is being submitted as an emergency because, without emergency action, no less than thirty-seven days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed, and to provide the necessary establishment of funding under the new company name to allow for the payment of services for all past, present and future business done by the City of Columbus with Asplundh Tree Expert, LLC.

To authorize the Director of Public Utilities to modify and increase the contract with Asplundh Tree Expert, LLC for the Power Line Clearance, Tree Trimming and Removal Services for the Division of Power; to modify all contracts and agreements with Asplundh Tree Expert Company by assigning all past, present and future contracts and agreements to Asplundh Tree Expert, LLC; to authorize the expenditure of \$120,000.00 from the Electricity Operating Fund, and to declare an emergency. (\$120,000.00)

WHEREAS, the Department of Public Utilities maintains a comprehensive program to manage trees and brush that grow around power lines and other department infrastructure and the program has shown to be effective at improving the reliability of service that it provides its customers; and

WHEREAS, the Department of Public Utilities has a contract with Asplundh Tree Expert Company for Power Line Clearance, Tree Trimming and Removal Services for the various divisions of the Department; and

WHEREAS, the Department of Public Utilities, Division of Power wishes to modify and increase PO056186 with Asplundh Tree Expert Company for Power Line Clearance, Tree Trimming and Removal Services to provide additional

funding necessary for the second year of the contract, for the Division of Power; and

WHEREAS, the vendor has agreed to modify and increase PO056186 at current prices and conditions, and it is in the best interest of the City to exercise this option; and

WHEREAS, the vendor recently changed their status from a Company to a LLC, but the EIN number did not change. This Ordinance is to authorize the assignment of all past, present and future business done by the City of Columbus with Asplundh Tree Expert Company, EIN #23-1277550 to be assigned to Asplundh Tree Expert, LLC, EIN #23-1277550 and is being submitted in accordance with the relevant provisions of Chapter 329 of the City Code pertaining to contract modifications; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power, in that it is immediately necessary to authorize the Director of Public Utilities to modify and increase the current contract for Power Line Clearance, Tree Trimming and Removal Services with Asplundh Tree Expert, LLC to expedite this critical service, and to provide the necessary establishment of funding under the new company name to allow for the payment of services for all past, present and future business done by the City with Asplundh Tree Expert, LLC for the immediate preservation of the public health, peace, property, safety and welfare; 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 and increase contract No. PO056186 with Asplundh Tree Expert, LLC, for Power Line Clearance, Tree Trimming and Removal Services for the Department of Public Utilities, in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Power. Total amount of modification No. 3 is ADD \$120,000.00 for the Division of Power. Total contract amount including this modification is \$881,107.76.

SECTION 2. That the Director of Public Utilities be and is hereby authorized to modify all past, present and future contracts and agreements pursuant to those contracts to reflect the change in company name from Asplundh Tree Expert Company, EIN #23-1277550 to be assigned to Asplundh Tree Expert, LLC, EIN #23-1277550.

SECTION 3. That said firm shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrators of the Division of Power and the Division of Water.

SECTION 4. That this modification is in accordance with the relevant provisions of Columbus City Code, Chapter 329 relating to contract modification for all past, present and future contracts to be assigned to Asplundh Tree Expert, LLC.

SECTION 5. That the expenditure of \$120,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6300 Electricity Operating Fund, in object class 03 Services, in the amount of \$120,000.00 per the accounting codes in the attachment to this ordinance.

SECTION 6. 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 7. 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 8. 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 and 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.