

**City of Culver City, California
Agenda Item Report**

Meeting Date: 12/10/2012		Item Number: <u>C-9</u>	
CITY COUNCIL AGENDA ITEM: Approval of an Amendment to the Existing Professional Services Agreement with Duke's Root Control, Inc. to Continue Providing Root-Control Services on City-owned Sewer Main Lines (P-230)			
Contact Person/Dept.: Eric Mirzaian/PW		Phone Number: (310) 253-6410	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☐ Attachments: ☐	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification (E-mail) Meetings and Agendas-City Council (12/07/12); Duke's Root Control, Inc.(11/5/2012)			
Department Approval: Charles D. Herbertson (11/29/12)		City Attorney Approval: Carol Schwab (by H. Baker) (12/06/12)	
Chief Financial Officer Approval: Jeff Muir (by K. Marsden) (12/06/12)		City Manager Approval: John M. Nachbar (12/07/12)	
 <u>RECOMMENDATION:</u> Staff recommends the City Council approve an amendment to the existing professional services agreement with Duke's Root Control, Inc. (Duke's) to continue providing root-control services on City-owned sewer main lines. <u>BACKGROUND:</u> There are approximately 86 miles of sewer mains that the Public Works Department is responsible for maintaining. These mains can be impacted by tree and plant root intrusion. Root intrusion causes a variety of negative impacts on the City's sewer system. These impacts range from sewage stoppages, sewage overflows, increased maintenance costs, and accelerated deterioration. In 2006, the City entered into an agreement with Duke's to provide root intrusion treatment on City-owned sewer mains. With the services provided by Duke's, the City was able to establish a maintenance program to specifically address the root intrusion problem and treat approximately 8 miles of affected sewer mains each year. The root intrusion maintenance is accomplished through the application of herbicides to dissolve the roots and inhibit re-growth. The crews performing the maintenance and applying the herbicides used are required to comply with all Federal, State and local ordinances pertaining to the type of work, particularly the laws and ordinances relating to transportation of material (United States Department of Transportation), the application of sewer root control herbicides (United States Environmental Protection Agency), and local traffic control requirements. All work is			

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required to be performed by certified pesticide applicators licensed with the California Department of Pesticides. These types of herbicides used, if applied correctly, are approved for use in sewer lines and treatment facilities.

In 2006, the agreement between the City and Duke's was established at a not-to-exceed amount of \$250,000 over five years. This equated to \$0.68 per linear foot of treatment for six and eight inch lines. In 2010, with City Council approval, the agreement was amended to increase the contract amount to a not-to-exceed amount of \$500,000 to treat an additional 8 miles of sewer main and compensate the contractor for increases in the cost of herbicides; thus increasing the per linear foot price to \$1.02 for 6" sewer lines and \$1.03 for 8" sewer lines.

The agreement was entered into under the same terms as the City of Los Angeles' agreement with Duke's; which was awarded through a formal competitive bid process at that time.

DISCUSSION:

Duke's has presented a proposal to the City for a new three-year agreement with an optional two year extension at the discretion of the Director of Public Works/City Engineer. In their proposal, Duke's agrees to extend the same pricing to the City that they recently agreed to with the City of Los Angeles for the initial three years and increase the contract amount by a mutually agreed upon percentage not-to-exceed the percentage increase in the Consumer Price Index (CPI) for the Los Angeles area. The new pricing will be lower than the current pricing and will be as follows:

- 6" lines: \$0.94 per linear foot
- 8" lines: \$0.95 per linear foot
- 10" lines: \$0.97 per linear foot
- 12" lines: \$1.15 per linear foot
- 15" lines: \$1.45 per linear foot

The proposed annual contract amount would be for a not-to-exceed amount of \$100,000 for the initial three years, while the contract amount for the two-year option will be based on the agreed upon per linear foot price that will be sufficient to continue providing treatment to 8 miles or more of sewer main annually.

Culver City Municipal Code (CCMC) Section 3.07.085 provides for an exemption from the formal bidding process for professional services and requires the award of the contract be based upon competitive quotations from no less than three vendor contractors whenever deemed practical by the City Manager. In this case, the City Manager has deemed it impractical to seek those quotations.

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Staff has determined the proposal by Duke's is highly competitive and is recommending accepting their proposal. The herbicides and dissolvers used by Duke's have proven to be very effective in controlling root intrusion in the City's sewer mains without harming trees. Since implementing this maintenance program, emergency responses to treated areas have declined; thus allowing sewer maintenance staff to focus on preventative maintenance on other sewer mains throughout the City. Thus, Staff recommends continuing utilizing the services of Duke's due to Staff's familiarity with their product and due to Staff's satisfaction with their product results.

FISCAL ANALYSIS:

There are sufficient funds allocated for this agreement in the Sewer Fund Capital Improvement Program 20480000.730100.PZ230 (Sewer Localized & Emergency Repairs).

ATTACHMENTS:

None.

MOTION:

That the City Council:

1. Approve an amendment to the existing professional services agreement with Duke's Root Control, Inc. to continue providing root control services on city-owned sewer mains for an amount not-to-exceed \$100,000 per year for the initial three years of the proposed agreement; and,
2. Authorize the extension of the agreement for an additional two years at the discretion of the Public Works Director/City Engineer in a not-to-exceed amount to be determined to continue providing treatment to 8 miles of sewer mains annually during the two-year option; and,
3. Authorize the City Attorney to review/prepare the necessary documents; and
4. Authorize the City Manager to execute such documents on behalf of the City.