

# Agenda Report

February 8, 2021

**TO:** Honorable Mayor and City Council

**FROM:** Water and Power Department

**SUBJECT: AUTHORIZATION TO ENTER INTO A CONTRACT WITH UTILITY TREE SERVICE, LLC. TO PROVIDE POWER LINE CLEARANCE TREE TRIMMING SERVICES FOR THE WATER AND POWER DEPARTMENT FOR A MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$15,720,000**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the proposed action is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301 (Class 1 – Existing Facilities); and that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances; and
2. Accept the letter from Flintridge Tree Care, Inc. dated January 13, 2021, rescinding their bid to provide power line clearance tree trimming services for the Water and Power Department; and
3. Accept the bid dated August 10, 2020, from Utility Tree Service, LLC, ("UTS") in response to Specifications for Tree Trimming Services for the Water and Power Department; and authorize the City Manager, or his designee, to enter into a contract for an initial period not to exceed three years or until \$9,432,000 has been expended, whichever occurs first; with two optional one-year extensions, each not to exceed \$3,144,000.

## **BACKGROUND:**

The State of California Public Utilities Commission General Order 95 requires power utilities to trim trees that are in close proximity to overhead power distribution lines. This is considered a best business practice to improve the safety and reliability of power delivery service, including the mitigation of wildfire risks in high-threat areas.

The Pasadena Water and Power Department ("PWP") routinely trims an average of 7,800 trees annually that are in close proximity to energized electrical lines, most of

which are in the rear of private properties rather than in public right-of-ways. Tree trimming around energized lines is essential to maintaining the safety and reliability of the electrical service.

All contractors performing tree trimming services for PWP must have Qualified Line Clearance tree workers who have the necessary training, experience and expertise with the techniques and hazards of tree maintenance, removal, and the equipment in close proximity to energized electrical lines. The work is performed using equipment that is electrically insulated and typically completed on private property, most often in backyards. PWP also requires having an onsite tree trimming job foreman who is an International Society of Arboriculture certified arborist, ensuring every effort is made to maintain the natural character of the trees being trimmed.

On July 6, 2020, a Notice Inviting Bids for Tree Trimming Services for the Water & Power Department was published in the Pasadena Journal and posted on the City's website via PlanetBids. PWP staff also performed additional outreach via direct emails and phone calls to approximately 50 prospective bidders (18 local). The electronic posting generated 607 notices to prospective bidders (43 local) and Specification documents were downloaded by 37 vendors (2 local). Of the vendors that downloaded the Specifications, four vendors submitted bids as required by the Specifications by August 13, 2020.

<b>Bidder</b>	<b>Annual Bid Amount</b>
* Flintridge Tree Care, Inc., Pasadena, CA	\$2,680,284
Utility Tree Service, LLC, San Diego, CA	\$3,143,751
West Coast Arborists, Inc., Anaheim, CA	\$3,700,120
International Environmental Corp., Arleta, CA	\$4,188,600

\*Flintridge Tree Care withdrew its bid due to an inability to meet the bonding requirements.

The bid evaluation was based on criteria set forth in the Specifications to determine the average grand total cost to provide all services described in the Specifications to adjust tree tops, clear limbs, remove and dispose of trees, branches and brush, prune overhanging branches and maintain proper tree structure around energized electrical distribution lines on private properties. Costs are billed on an hourly basis.

On October 19, 2020, the City Council approved granting the Tree Trimming Services contract to Flintridge Tree Care, Inc. since they submitted the lowest bid that met all the requirements of the Specifications at that time. Flintridge Tree Care, Inc. subsequently determined that they could not meet the performance bonding requirements, and asked to withdraw their bid in a letter dated January 13, 2021. Given the nature of this work, the performance bond requirements have been determined to be reasonable and consistent with the provisions of the municipal code. Staff recommends that the City Council accept the request by Flintridge Tree Care, Inc. to withdraw their bid.

UTS submitted the second lowest bid that met all requirements of the Specifications and has agreed to honor the terms and pricing from their original bid submittal for PWP's tree trimming solicitation. Therefore, staff respectfully recommends that the City Council accept the bid dated August 10, 2020, submitted by UTS and authorize the City Manager, or his designee, to enter into a Contract for an initial period not to exceed three years or until \$9,432,000 is expended, whichever occurs first, with two optional one-year extensions, each not to exceed \$3,144,000, for a maximum contract length of five years and a total contract amount of \$15,720,000.

UTS has had one previous contract since 2014 with the City of Pasadena for an approximate total not-to-exceed amount of \$7,200,000.

The proposed contract complies with the Competitive Bidding and Purchasing Ordinance pursuant to Pasadena Municipal Code Chapter 4.08 and the rules and regulations promulgated thereunder.

**COUNCIL POLICY CONSIDERATION:**

The proposed contract is consistent with the City Council's goals to ensure public safety, maintain fiscal responsibility and stability, and PWP's strategic initiatives to enhance customer satisfaction and confidence, improve efficiency and business continuity and maintain PWP's fiscal health and stability.


**ENVIRONMENTAL ANALYSIS:**

The proposed contract is exempt from CEQA in accordance with State CEQA Guidelines Section 15301 (Class 1 – Existing Facilities). Class 1 exempts actions such as maintenance, repair, and operation relating to existing facilities or structures where there is negligible or no expansion of the use. Subsection 15301 (h) specifically exempts the maintenance of existing landscaping and native growth. The proposed contract allows for continued tree trimming services of existing trees in close proximity to energized electrical lines. There will be no expansion of the use, and all trimming will continue to comply with applicable code requirements.

**FISCAL IMPACT:**

The maximum cost of this action will be \$15,720,000, which includes the first three years and two optional one-year extensions. Funding for this action will be addressed by the utilization of existing and future budget appropriations. It is anticipated that \$1,050,000 of the cost will be spent during the current fiscal year. The remainder of the cost will be spent over the next five fiscal years.

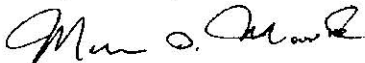
Respectfully submitted,



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GURCHARAN S. BAWA  
General Manager  
Water and Power Department

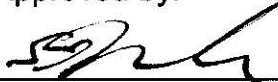
Prepared by:



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MARVIN D. MOON  
Assistant General Manager  
Water and Power Department

Approved by:



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STEVE MERMELL  
City Manager

**Flintridge Tree Care**

2570 E Walnut Street  
Pasadena, CA 91107  
(626) 577-8000

January 13, 2021

City of Pasadena  
Pasadena Water and Power  
100 N Garfield Ave  
Pasadena, CA 91109  
(626) 744-4445

RE: Tree Trimming Services Water & Power Department City of Pasadena  
Bid Date August 13, 2020

To whom it may concern:

It is with our deepest regret we send this notice. Please accept this letter as formal notice that Flintridge Tree Care, Inc is rescinding it bid as lowest bidder for the Tree Trimming Service Water and Power.

We appreciate the opportunity. At this time, we will not be able to fulfill the contract.

Respectfully Submitted



Debora Clarke  
Flintridge Tree Care  
(626) 577-8000