

## ACTION FORM BRYAN CITY COUNCIL

<b>DATE OF COUNCIL MEETING:</b> October 27, 2015		<b>DATE SUBMITTED:</b> October 5, 2015	
<b>DEPARTMENT OF ORIGIN:</b> Public Works		<b>SUBMITTED BY:</b> E. Zaragoza	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>	<b>STRATEGIC INITIATIVE:</b>
<input type="checkbox"/> BCD	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1ST READING	<input type="checkbox"/> PUBLIC SAFETY
<input type="checkbox"/> SPECIAL	<input checked="" type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING	<input checked="" type="checkbox"/> SERVICE
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> STATUTORY		<input type="checkbox"/> ECONOMIC DEVELOP.
<input type="checkbox"/> WORKSHOP	<input type="checkbox"/> REGULAR		<input type="checkbox"/> INFRASTRUCTURE
			<input type="checkbox"/> QUALITY OF LIFE
<b>AGENDA ITEM DESCRIPTION:</b> Consider approving the third and final extension to an existing annual price agreement for Right of Way Mowing with Rios Tree Service, Inc. in a not to exceed amount of \$335,566.16.			
<b>SUMMARY STATEMENT:</b> On August 30, 2011, eight (8) sealed bids were received and publicly opened for contract mowing associated with Request for Bid (RFB) No. 11-041 "Annual Contract for Mowing Services: Right-of-Way, Water Services Facilities, and Code Enforcement". This RFB was formulated in three sections to capture the best market rate for the desired service: <u>Area 1. Right-of-Way</u> , <u>Area 2. Water Services Facilities</u> , and <u>Area 3. Code Enforcement</u> .			
<p>The <u>Area 1. Right-of-Way</u> mowing bid specifications had the City broken down into three areas (Areas #1-3). Each vendor had the ability to bid on one or all of the areas. The billing terms to the City were flexible from weekly, every two weeks, or monthly, to accommodate vendors with different sized operations. The purpose for designing the bid in this fashion was to allow as many vendors as possible to bid, depending on their equipment and manpower. The contracts were also designed to be two year contract agreements, with a price escalation clause of a maximum of 8% over the term of the contract to account for fuel and other price increases to the contractor. After the initial two year term, one year extensions would be allowed if both the vendor and City agreed to the extensions. The total length of the contract can be up to a maximum of five years.</p> <p>On November 11, 2014 Council approved the second extension of this annual price agreement to: Rios Tree Service, Inc. (along with a final 4% price escalation to their previous contractual amount) for Areas #1 &amp; #3 and Green Team, Inc. for Area #2. In addition, during FY15, a final change order for Area #1 (\$18,000) was issued to include some newly developed areas not previously coved in the original bid. This brought the Area #1 contract total to \$167,209.30; with Area #3 maintaining at \$168,356.86 for a total amount not to exceed amount of \$335,566.16.</p> <p>As mentioned above, the City was divided into three separate ROW mowing areas with Rios Tree Service awarded Areas #1 &amp; #3 and Green Team awarded Area #2. Both companies have fulfilled their contractual obligations maintaining all areas during this last year.</p>			
<b><u>EXTENTION OF CONTRACT FOR ROW MOWING AREAS #1 &amp; #3 (Rios Tree Service, Inc.)</u></b>			
Staff would like to offer the third extension and final extension to the existing annual price agreement for Areas #1 & #3 to Rios Tree Service. Rios Tree Service has performed to staff's expectations and has provided excellent service maintaining the City's ROW areas. As mentioned above, this would be the third and final extension to the original two year contract, with no more extensions available.			

Below are some historical and projected expenses associated with the two Areas #1 & #3 compared to the contractual amounts:

	FY 2014		FY 2015 (YTD)		FY 2016 (Projections)	
	Contract Total	FY Expenses	Contract Total	FY Expenses	Contract Total	FY Expenses
ROW Area #1	\$142,778.17	\$127,202.94	\$167,209.30	\$147,639.71	\$167,209.30	\$150,000.00
ROW Area #3	\$161,881.60	\$99,602.00	\$168,356.86	\$163,377.97	\$168,356.86	\$160,000.00
<b>TOTALS:</b>	<b>304,659.77</b>	<b>\$226,804.94</b>	<b>\$335,566.16</b>	<b>\$311,017.68</b>	<b>\$335,566.16</b>	<b>\$300,000.00</b>

Public Works respectfully requests the City Council approve and award the third and final extension to Rios Tree Services for Area #1 (\$167,209.30) & #3 (\$168,356.86) to perform right-of-way mowing. The original contract (2011) was for two (2) years with the possibility of three (3) additional one (1) year extensions. As mentioned, this request is the third and final extension to the original contract. This contract term will begin November 1, 2015 and expire October 31, 2016. Upon conclusion of this final extension, the entire contract (including all three areas) will be rebid.

**STAFF ANALYSIS AND RECOMMENDATION:** Public Works respectfully requests the City Council approve the third and final extension to an existing annual price agreement for Right of Way Mowing with Rios Tree Service in a not to exceed amount of \$335,566.16. Mowing services are needed to ensure the proper upkeep and aesthetical value of City resources and facilities. This contractor has performed to staff's expectations and has provided excellent service maintaining the City's ROW areas.

**OPTIONS (In Suggested Order of Staff Preference):**

1. Approve the award of a one year price agreement with Rios Tree Services, Inc. for Areas #1 & #3
2. Do not approve the extension and rebid

**ATTACHMENTS:** Rios Tree Services, Inc. Letter of Extension (Area #1 & #3)

**FUNDING SOURCE:** General Fund: Streets & Drainage

**APPROVALS:** Jayson E. Barfknecht 10/12/15

**APPROVED FOR SUBMITTAL: CITY MANAGER** Kean Register, 10-14-2015

**APPROVED FOR SUBMITTAL: CITY ATTORNEY** Janis K. Hampton, 10-19-2015



CITY OF BRYAN  
*The Good Life, Texas Style.*

September 8, 2015

Rios Tree Services, Inc.  
Mrs. Anita Rios  
13923 Sugarberry Woods  
San Antonio, TX 78249

RE: 3rd Extension of Contract No. 11-041 entitled "Annual Contract for Mowing Services:  
Right-of-Way Area 1"

Dear Mrs. Rios:

Please be advised that the above referenced contract will expire on October 31, 2015, and it is our intent to recommend to the City Council to extend said contract for one (1) additional period of one (1) year, beginning the day following the expiration date of said contract.

If your company is willing and able to extend Contract No. 11-041 under the same prices, terms, conditions and provisions as those contained in the original contract, please complete the following information and return this original within ten (10) days from the date of this notification.

I, Anita Rios President  
Name Title  
Of Rios Tree Service, Inc.  
Company Name

agree to extend Contract No. 11-041 with the City of Bryan, under the same prices, terms, conditions and provisions as those contained in the original contract, for a period of one (1) year beginning November 1, 2015 and expiring October 14, 2016 upon approval of City Council.

Signed By: Anita Rios Date 9/8/15

Melanie Tigerina  
Melanie Tigerina, Buyer  
City of Bryan – Purchasing Department



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September 8, 2015

Rios Tree Services, Inc.  
Mrs. Anita Rios  
13923 Sugarberry Woods  
San Antonio, TX 78249

RE: 3rd Extension of Contract No. 11-041 entitled "Annual Contract for Mowing Services:  
Right-of-Way Area 3"

Dear Mrs. Rios:

Please be advised that the above referenced contract will expire on October 31, 2015, and it is our intent to recommend to the City Council to extend said contract for one (1) additional period of one (1) year, beginning the day following the expiration date of said contract.

If your company is willing and able to extend Contract No. 11-041 under the same prices, terms, conditions and provisions as those contained in the original contract, please complete the following information and return this original within ten (10) days from the date of this notification.

I, Anita Rios President  
Name Title  
Of Rios Tree Service Inc  
Company Name

agree to extend Contract No. 11-041 with the City of Bryan, under the same prices, terms, conditions and provisions as those contained in the original contract, for a period of one (1) year beginning November 1, 2015 and expiring October 31, 2016 upon approval of City Council.

Signed By: Anita Rios Date 9/8/15

Melanie Tigerina  
Melanie Tigerina, Buyer  
City of Bryan – Purchasing Department