



# RIVERSIDE PUBLIC UTILITIES

## Board Memorandum

**BOARD OF PUBLIC UTILITIES**

**DATE: DECEMBER 13, 2021**

**SUBJECT: THIRD AMENDMENT TO AGREEMENT FOR UTILITY LINE CLEARANCE AND VEGETATION MANAGEMENT SERVICE FOR CITYWIDE AREA WITH WEST COAST ARBORISTS, INC., TO EXTEND TERM FOR SIX MONTHS**

**ISSUE:**

Consider the approval of the Third Amendment to the Agreement for Utility Line Clearance and Vegetation Management Service for Citywide Area with West Coast Arborists, Inc., of Anaheim, California, to extend the term for six months with no increase to the total cost of the Agreement due to cost savings achieved in previous years.

**RECOMMENDATIONS:**

That the Board of Public Utilities:

1. Approve the Third Amendment to the Agreement for Utility Line Clearance and Vegetation Management Service for Citywide Area with West Coast Arborists, Inc., for a six-month-extension; and
2. Authorize the City Manager, or designee, to execute the Third Amendment to the Agreement for Utility Line Clearance and Vegetation Management Service for Citywide Area with West Coast Arborists, Inc., including making minor and non-substantive changes.

**BACKGROUND:**

Utility line clearance tree trimming and vegetation management is a vital function of Riverside Public Utilities (RPU) to maintain safe clearances between energized overhead electric lines and trees in accordance with state law, as generally set forth in California Public Utilities Commission's General Order 95 Rule 35. Proper tree and vegetation clearance help maintain public safety and reliability of electric service. Maintaining minimum line clearances and providing vegetation management near electric distribution facilities is critical for the safe operation of electrical infrastructure. It is a key preventative strategy in the RPU's Wildfire Mitigation Plan (WMP) to help reduce the risks of wildfires caused by electrical infrastructure, especially in high fire threat districts.

RPU trims approximately 20,000 trees per year to avoid overhead conductors contacting tree branches and to help reduce outages. In addition to annual trimming, RPU responds to emergencies involving tree conflicts with power lines on a regular basis. The robust vegetation

management program enables RPU to resolve other vegetation issues, such as vines, bamboo, and overgrown shrubs that hinder construction and maintenance activities, and pose threats of service interruption or wildfire ignition. Vegetation management is coordinated closely with the Public Works Urban Forester and the Riverside Fire Department in the river bottom. When trimming is required, residents are notified of the proposed schedule before work is performed to avoid service disruption.

All work performed on trees is conducted by qualified Line Clearance Tree Trimmers and inspected by certified arborists to ensure work is performed in accordance with ANSI Tree Pruning Standards, applicable requirements, industry leading practices, and the City's Urban Forestry Policy Manual.



*WCA crews perform both routine and emergency tree trimming around overhead lines*

On November 6, 2015, the Board of Public Utilities (Board) approved an agreement with West Coast Arborists, Inc., (WCA) for Request for Proposal No. 1515 – Utility Line Clearance and Vegetation Management Services for a five-year contract term from November 1, 2015 through October 31, 2020 with two optional one-year extensions. The total five-year contract value was not to exceed \$13,200,000.

In October 2019, the State of California passed Senate Bill No. 247 (SB 247), with requirements for all qualified line clearance tree trimmers to be paid no less than the prevailing wage rate for a first period apprentice electrical utility lineman as determined by the State of California's Director of Industrial Relations. Due to these requirements, a change in compensation rates to comply with SB 247 was adopted as the First Amendment to the Agreement, with no additional increase in total contract amount.

On December 22, 2020, the Board approved the Second Amendment to the Agreement for Utility Line Clearance and Vegetation Management Service for the Citywide Area with WCA for a one-year term extension, ending on October 31, 2021, for an annual amount not to exceed \$3,500,000.

## **DISCUSSION:**

In anticipation of the end of the contract with WCA, on July 2, 2021, a new request for proposal (RFP) for Utility Line Clearance and Vegetation Management was posted to the City's Planet Bids website for bidding. However, during the proposal review process, it was determined that the proposal award criteria needed to be corrected to clearly identify how each of the bid items were going to be weighted with respect to overall costs in order to ensure that the proposal would be

evaluated in a balanced manner. The RFP was cancelled. Since line clearance and vegetation management services are vital to RPU's grid operations, RPU staff is currently working with the Purchasing Division to issue a new request for proposal as soon as possible and procure a new vendor for these vital services.

In the interim, staff has undertaken two processes. When the second amendment contract expired on October 31, 2021 and the RFP issued in July was cancelled, a purchase order with WCA was issued for trimming services in the amount of \$25,000.

The second process that staff undertook is to prepare the proposed six-month time extension to the existing contract. Since 2015, WCA has successfully performed overhead electric line clearance, tree trimming and vegetation management services inclusive of the proactive trimming of problematic trees which can affect service reliability, impact critical assets, and contribute to outages. Throughout the six-year contract period, staff has been satisfied with the performance and feedback regarding the work performed by WCA and are recommending a six-month contract extension is in the best interest of the City.

RPU's costs for this contract are outlined in the chart below:

<b>Contract Year</b>	<b>Approved Contract Value</b>	<b>Actual Costs Incurred</b>
1 (2015/2016)	\$2,400,000	\$1,862,053.88
2 (2016/2017)	\$2,700,000	\$1,568,481.50
3 (2017/2018)	\$2,700,000	\$2,004,781.75
4 (2018/2019)	\$2,700,000	\$1,513,275.75
5 (2019/2020)	\$2,700,000	\$2,559,122.18
6 (2020/2021)	\$3,500,000	\$2,437,430.19
<b>Total</b>	<b>\$13,200,000</b>	<b>\$11,945,145.25</b>

The proposed sixth-month extension for the contract, with a not to exceed amount of \$1,254,855 for the six-month term will not increase the overall contract value of \$13,200,000 that was approved by the Board on November 6, 2015. This is due to cost savings from previous years as reflected in the chart above. This amendment is pursuant to section 702(g) of the Purchasing Resolution which states that Competitive Procurement through the Informal Procurement and Formal Procurement process shall not be required, "when Services can be Procured from a Contractor who offers the same or better price, terms and conditions as the Contractor previously offered as the Lowest Responsive Bidder under Competitive Procurement or negotiations conducted by the City or another public agency provided that, in the opinion of the Manager, it is in the best interests of the City to do so".

Staff will return to the Board for approval in the future upon the completion of the new RFP which will soon be issued.

The Purchasing Manager concurs that the recommended actions are in compliance with Purchasing Resolution No. 23256.

#### **STRATEGIC PLAN ALIGNMENT:**

This item contributes to Strategic Priority No. 6 Infrastructure, Mobility & Connectivity Goal No. 6.2 – Maintain, protect, and improve assets and infrastructure within the City's built environment

to ensure and enhance reliability, resiliency, sustainability, and facilitate connectivity.

This item aligns with EACH of the five Cross-Cutting Threads as follows:

1. **Community Trust** – Ensuring that Riverside’s electric lines can safely be maintained and operated and continue to provide reliable electricity to the City’s service territory and its communities serves the greater public good.
2. **Equity** – Utility line clearance and vegetation management are key components to continue providing safe and reliable electric service equitably to all of RPU’s customers.
3. **Fiscal Responsibility** – Effective negotiation with the existing vendor ensured RPU got the best price and schedule based on years of experience dealing with vendor and associated scope of work services.
4. **Innovation** – With a great focus on electric line clearance and vegetation management, electric grid operators can focus on efficient grid operations and develop innovative strategies for remote device operations without having to compromise safety.
5. **Sustainability & Resiliency** – Maintaining electric lines and clearing tree branches and overgrown vegetation reduces the risk of electric outages and damage to equipment as a result of line faults due to tree contact with energized lines.

#### **FISCAL IMPACT:**

There is no fiscal impact associated with the Third Amendment to the Agreement with WCA. Following City Council approval of carryover funds, sufficient funds will be available in the Public Utilities’ Electric Line Clearance Contract Account No. 6105000-421201.

Prepared by:	Daniel E. Garcia, Utilities Deputy General Manager
Approved by:	Todd M. Corbin, Utilities General Manager
Approved by:	Kris Martinez, Interim Assistant City Manager
Approved as to form:	Phaedra A. Norton, City Attorney

Certifies availability of funds:	Edward Enriquez, Chief Financial Officer/City Treasurer
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#### **Attachments:**

1. Third Amendment to Agreement with WCA
2. Presentation