



Legislation Details (With Text)

**File #:** 19-1419      **Version:** 1      **Name:**

**Type:** CONSENT AGENDA      **Status:** Deferred

**File created:** 9/9/2019      **In control:** Office of Procurement Services

**On agenda:** 10/23/2019      **Final action:**

**Title:** Authorize a three-year service price agreement for grounds maintenance services of Texas Department of Transportation properties within the corporate boundaries of the city of Dallas for the Department of Public Works - Good Earth Corporation, lowest responsible bidder of three - Estimated amount of \$17,971,062 - Financing: General Fund

**Sponsors:**

**Indexes:** 100

**Code sections:**

**Attachments:** 1. Resolution, 2. T Smith's Lawn Service-Protest Letter, 3. City's Response to T Smith's Lawn Service Protest

Date	Ver.	Action By	Action	Result
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**STRATEGIC PRIORITY:** Government Performance and Financial Management

**AGENDA DATE:** October 23, 2019

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Elizabeth Reich

**SUBJECT**

Authorize a three-year service price agreement for grounds maintenance services of Texas Department of Transportation properties within the corporate boundaries of the city of Dallas for the Department of Public Works - Good Earth Corporation, lowest responsible bidder of three - Estimated amount of \$17,971,062 - Financing: General Fund

**BACKGROUND**

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement will provide for ground maintenance services for Texas Department of Transportation (TxDOT) rights-of-way within the corporate boundaries of the city of Dallas. This

includes TxDOT properties such as highway medians, parkways, side medians, triangles, islands, interchange islands, shoulders, landscaped areas, and other TxDOT rights-of-way. The TxDOT landscaped areas provides improvements such as plant materials and irrigation along TxDOT rights-of-way to establish a higher level of visual appeal along the corridors within Dallas city limits increasing aesthetic appeal citywide.

This service price agreement will include all labor, materials, and equipment necessary to provide complete and continuous maintenance of all trees, shrubs, ground coverings, and landscaped areas. Services provided by the awarded vendor throughout the term of the project include, but are not limited to; mowing of 112,140 acres, litter removal and disposal from 264,384 acres, line trimming, pruning, de-weeding, blade edging, and herbicide treatments.

The bid was structured in three sections, East, West, and landscaped areas. The East section and the West section both are scheduled to be maintained every 21-28 days, weather permitting, during mow season. Section three consists of landscaped areas along TxDOT right-of-ways citywide, maintenance will be provided in these landscaped areas year-round.

On September 22, 2010, Council authorized a landscape maintenance agreement with TxDOT for the City to provide supplemental mowing in the parkways and maintain median landscape improvements along U.S. Highway 75 from Spur 366 (Woodall Rodgers Freeway) to Interstate Highway 635 within TxDOT's right-of-way. TxDOT has removed the previous amenities and landscaping on North Central Expressway and replaced with native grasses which are currently maintained by the Department of Public Works.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors. Additionally, in an effort to secure more competition, the Office of Business Diversity sent notifications to chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this agreement is \$11.15; the selected vendor meets this requirement.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On November 10, 2015, City Council authorized a three-year service contract for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas with Good Earth Corporation by Resolution No. 15-2050.

### **FISCAL INFORMATION**

General Fund - \$17,971,062.00 (Estimated amount)

Fund	FY 2019-20	FY 2020-21	FY 2021-22
General Fund	\$1,759,795.00	\$1,759,795.00	\$14,451,472.00
Total	\$1,759,795.00	\$1,759,795.00	\$14,451,472.00

**M/WBE INFORMATION**

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$17,971,062.00	Other Services	23.80%	11.00%	\$1,976,816.82
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Low Bid	<ul style="list-style-type: none"> <li>• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements</li> <li>• Negotiations are not allowed</li> </ul>
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The Office of Procurement Services received the following bids from solicitation number BQ19-00010547. We opened them on August 2, 2019. We recommend the City Council award this service price agreement in its entirety to the lowest responsive and responsible bidder.

\*Denotes successful bidder

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
*Good Earth Corporation	7922 Forney Rd. Dallas, TX 75227	\$17,971,062.00
Cross Plus Construction, LLC	7700 N. Hwy. 6 Waco, TX 76712	\$18,300,324.00
**T. Smith Inspection & Testing Services	3315 Daniieldale Lancaster, TX 75134	Non-responsive

\*\*Note: The City has received a protest from T. Smith Inspection & Testing Services regarding this procurement which has been addressed. Please find attached the vendor protest letter and the City’s response.

**OWNER**

**Good Earth Corporation**

Kevin Points, President

Emily Points, Vice-President