



**Date:** September 4, 2018

**To:** Thomas J. Bonfield, City Manager  
**Through:** W. Bowman Ferguson, Deputy City Manager  
**From:** Steven W. Hicks, Director, Department of General Services  
**Subject:** Contract with Lanier Tree Services, LLC for the Removal of City Trees

**Executive Summary**

As part of an FY16 new initiative, the Department of General Services received funding for a Selective Street Tree Inventory which was subsequently conducted on city rights-of-way in 2016. It identified 3,460 large water and willow oaks in a vulnerable age and size range. Of the trees identified in the process as high or medium risk and in poor or fair condition, forty (40) had been selected for removal under contract in 2017 and the trees were removed under a contract concluding in December 2017.

On June 22, 2018 bids were opened for a second tree removal contract for the removal and disposal of an additional forty (40) trees along City of Durham public rights-of-way that had been identified as high or medium risk and are in poor or fair condition since the conclusion of the 2017 contract. The lowest responsive, responsible bid was submitted by The Davis Company, Inc. of Williamston, NC. The Department of General Services attempted to enter into an agreement with The Davis Company, Inc. Upon receiving the information that they were the lowest responsive bidder, they withdrew their bid, choosing not to accept the agreement.

In review of the bids opened on June 22, the decision was made to reduce the scope of the contract from forty (40) trees to thirty-five (35) trees, to assure bids were in line with the projected budget. General Services re-advertised in August 2018. On August 23, 2018 bids were opened for a tree removal contract for the removal and disposal of thirty-five (35) trees along City of Durham public rights-of-way that had been identified as high or medium risk and are in poor or fair condition since the conclusion of the 2017 contract. The lowest responsive, responsible bid was submitted by Lanier Tree Services, LLC, Kinston, NC.

**Recommendation**

The General Services Department recommends that the City Council:

Authorize the City Manager to execute a contract with Lanier Tree Services, LLC in an amount not to exceed \$178,895.00; and

Establish a contingency fund in the amount not to exceed \$21,105.00; and

Authorize the City Manager to negotiate and execute change orders for the contract provided the cost of all change orders and the original contract does not exceed the total contract cost of \$200,000.00.

## Background

The trees in the City of Durham provide many benefits, but there are costs associated with their maintenance and management and they present liability as they age and die in densely populated areas. To better understand and manage this asset, the City contracted a Selective Street Tree Inventory in 2016. As intended, it inventoried and assessed the oldest and largest street trees in Durham's urban core neighborhoods. The resulting data is now being used to inform both short and long-term resource allocation and risk management strategies.

The Selective Street Tree Inventory identified 3,460 large street trees in a vulnerable age and size range. Each year the Urban Forestry division's staff evaluates the trees along our public roadways and within our City Parks for condition. In the spring of 2018, as part of the on-going tree evaluation process, thirty-five (35) trees were identified as candidates for removal under this tree removal contract.

The contract is for the cutting and disposal of trees along City of Durham public rights-of-way.

## Issues and Analysis

In August 2018, the Department of General Services advertised requests for quotations (RFQ) via direct email to local and regional tree services and UBE contractors and posted on the City's website for the removal and disposal of thirty-five (35) trees along City of Durham public rights-of-way.

A pre-proposal meeting was held on August 10, 2018 for the purpose of answering any questions related to the RFQ.

The contractors were required to provide both a price for the entire tree removal and disposal down to, but not including the stump (which is to be removed by City forces).

Proposals were received August 22, 2018, and were opened and reviewed on August 23 by City Staff that included the General Services Department and the Department of Equal Opportunity Equity Assurance.

The firms were evaluated based upon the aggregate per-unit cost, the quality of the quotations, the qualifications of the proposed project team, and experience with similar projects.

The following Table identifies and ranks the four (4) contractors who responded and submitted quotations to provide tree removal services:

<b>Tree Removal Contract Bid Tabulation</b>		
<b>Ranking</b>	<b>Company</b>	<b>Price</b>
1	Lanier Tree Services LLC	\$178,895.00
2	Baxley Corp.	\$191,000.00
3	Lewis Tree Service, Inc. DBA Carolina Tree Care	\$196,574.00
4	A+ Tree and Crane Service	\$235,000.00

Upon conclusion of the review process and scoring, Lanier Tree Services, LLC of Kinston, NC was selected to remove thirty-five (35) trees along City of Durham public rights-of-way. The Lanier Tree Services, LLC's proposal identified Aaron Willis as the owner/operator. He is

International Society of Arboriculture Certified Arborist with 15 years of experience. The company recently performed work for the City of Kinston, Goldsboro, and the town of Snow Hill, primarily removing large mature oak trees and performing ROW pruning.

Lanier Tree Services, LLC has also performed contract line clearance work for Edgecombe-Martin and Pitt Greene Electric Membership Corporations; working along roadsides and in proximity to electrical conductors is part of their routine scope of service.

**Alternatives**

Following the selective inventory performed last fall, strategies for responding to the detailed quantification of at-risk trees on street right of way were discussed. Alternatives were originally examined to determine how current staff and equipment assets allocated to the General Services Department’s Urban Forestry Division would absorb an increased volume of proactive tree removals while remaining responsive to calls for service from residents and internal customers.

The recommended alternative is to enter into a contract with Lanier Tree Services, LLC to perform work involving the full turn-key removal and disposal of all parts of the trees, except the stumps. Stumps will be ground in-house as a cost savings measure that will not impact the execution of the contract, disrupt traffic, or dramatically impact the operation of the City’s staff resources.

The second alternative is to have City forces accomplish the tree removals by prioritizing them along with maintenance activities recommended in the Selective Street Tree Inventory as well as incoming service requests and weather-event response.

The third alternative is to ignore the findings of the Selective Street Tree Inventory and continue to prioritize work based solely on service request and delivery benchmarks.

The second and third alternatives listed above are not recommended for the following reasons:

- The option to absorb the thirty-five (35) additional tree removals in the Urban Forestry Division’s work plan would limit the team’s responsiveness to service requests and reactivity to weather-related emergencies.
- The option to not act on the findings of the Selective Street Tree Inventory would open the City to increased liability in the event that one or more of the thirty-five (35) identified trees were to fail and result in damage or injury.

**Financial Impact**

The City would make funds available as follows:

**Urban Forestry Other Operating Funds    0C060000-728800    \$200,000.00**

**UBE Summary**

The Equal Opportunity/Equity Assurance Department reviewed the proposal submitted by Lanier Tree Services, LLC of Kinston, NC to determine if they are in compliance with Ordinance to Promote Equal Business Opportunities in City Contracting. The goals for this project are MUBE 7% and WUBE 0%. Although, Lanier Tree Services, LLC did not meet goal, it was determined Lanier Tree Services, LLC demonstrated Good Faith Effort and is in compliance with the Ordinance to promote Equal Business Opportunities in City Contracting.

**UBE REQUIREMENTS**

The MUBE goal was not met. Lanier Tree Services, LLC was able to demonstrate good faith efforts after failing to meet the MUBE goal.

**WORKFORCE STATISTICS****Total Workforce:**

<b>Employment Category</b>	<b>Total Employees</b>	<b>Total Males</b>	<b>Total Females</b>
Project Manager	0	0	0
Professional	1	1	0
Technical	0	0	0
Clerical	0	0	0
Labor	5	5	0
<b>Total</b>	<b>6</b>	<b>6</b>	<b>0</b>

**Male:**

<b>Employment Category</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian or Pacific Islander</b>	<b>Indian or Alaskan Native</b>
Project Manager	0	0	0	0	0
Professional	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	5	0	0	0	0
<b>Total</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Female:**

<b>Employment Category</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian or Pacific Islander</b>	<b>Indian or Alaskan Native</b>
Project Manager	0	0	0	0	0
Professional	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>