



Date: February 5, 2019

To: Thomas J. Bonfield – City Manager

Through: W. Bowman Ferguson – Deputy City Manager

From: Marvin G. Williams – Director of Public Works

Subject: Contract with River Works, Incorporated for SP-2019-02 – Stream Vegetation Management

Executive Summary

The City of Durham has several stream restoration and stormwater quality projects within City limits that serve to restore and protect its urban streams and riparian resources. The City granted conservation easements to the State of North Carolina in order for the Division of Mitigation Services (formerly, Ecosystem Enhancement Program) to build these projects and fund the majority of the cost. Since 2013 Public Works and General Services have been working together to manage maintenance required by the conservation easement which includes controlling invasive vegetation. This contract will continue these services for three years. The Public Works Department recommends that the City Council authorize the City Manager to execute a contract for stream vegetation management with River Works, Incorporated.

Recommendation

The Public Works Department recommends the City Council:

To authorize the City Manager to execute the Contract for SP-2019-02 Stream Vegetation Management between the City of Durham and River Works, Incorporated in the amount of \$73,167.00;

To establish a contingency fund in the amount of \$10,975.05; and

To authorize the City Manager to negotiate change orders provided that the cost of all change orders and the contract does not exceed the total project cost of \$84,142.05.

Background

Several stream restoration projects have been completed on City-owned property within the City of Durham. These projects protect local water quality by providing nutrient and sediment reductions and other water quality benefits. The City granted conservation easements to the state of North Carolina to allow for the construction and protection of these projects. The majority of the projects were constructed and initially maintained by the North Carolina Division of Mitigation Services under the Department of Environmental Quality (formerly, Ecosystem Enhancement Program under the Department of Environment and Natural Resources). One of the projects was grant funded through a partnership with the Ellerbe Creek Watershed Association.

As a condition of the conservation easements, the City agreed to be stewards of these areas by maintaining their natural state in order to preserve the riparian and wetland resources protected by these projects. Since 2013, Public Works and General Services have been working together to manage invasive vegetation in the conservation easement areas at Forest Hills Park, Long Meadow Park, Westover Park, West Ellerbe Creek Trail, Northgate Park, and Indian Trail Park,

and the Hillandale Golf Course (PR#9010, approved February 18, 2013; PR#11042, approved April 18, 2016). Control of invasive and nuisance vegetation along stream restoration projects is needed in order to preserve the riparian resources and to ensure that the water quality aspects of the stream restoration projects remain functional. Proliferation of these plants can degrade the quality of the wetland and riparian resources in the easement areas, alter their natural condition, and interfere with the ecological functions of the easement areas.

This contract will ensure that maintenance and vegetation management of these important stream restoration projects continues for another three years. Invasive management services are to occur two times per year for three consecutive years from the date of the contract for a total of six Treatment Seasons.

Bid # SP-2019-02 – Stream Vegetation Management was advertised from November 7, 2018 to December 14, 2018.

Issues and Analysis

Public Works solicited bids for a contract to conduct invasive vegetation management within the conservation easement areas of several stream restoration projects on City property. One bid was received in response to this advertisement despite seven firms attending the pre-bid conference. Compliance with NC GS 143-132 is not required for this contract due to the type of work and Opinion of Probable Cost, therefore re-advertisement was not necessary. The cost of the received bid was substantially lower than the Opinion of Probable Cost. Public Works recommends award of the contract to River Works, Incorporated.

Alternatives

The alternative is to deny authorization to negotiate and execute the contract. Denying the contract would result in a failure to comply with contractual agreements as established in the conservation easements on City property.

Financial Impact

This project is budgeted for in the Public Works Operating Budget from the following accounts in the years below:

FISCAL YEAR	ACCOUNT	AMOUNT
2019	5500L041-728600	\$12,194.50
2020	5500L041-728600	\$24,389.00
2020	5500L041-731900 (Contingency)	\$10,975.05
2021	5500L041-728600	\$24,389.00
2022	5500L041-728600	\$12,194.50
TOTALS		\$84,142.05

Equal Business Opportunity Summary

The Equal Opportunity/Equity Assurance Department reviewed the proposal submitted by River Works Incorporated of Clayton, NC and determined that they are in compliance with the Ordinances to Promote Equal Business and Small Local Business Enterprise Opportunities in City of Durham Contracting. **The goals for this project are MUBE 0% and WUBE 0%.**

UBE REQUIREMENTS:

There were no MUBE or WUBE goals for this project as the firm would have to be experienced in a specific type of planting called “Live Staking”. This is a stream restoration technique that is different than traditional planting done by most landscaping companies.

River Works Incorporated will not be utilizing subcontractors for this project.

WORKFORCE STATISTICS

Total Workforce:

Employment Category	Total Employees	Total Males	Total Females
Project Manager	9	9	0
Professional	3	3	0
Technical	0	0	0
Clerical	2	2	0
Labor	25	25	0
Total	37	37	0

Male:

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manager	9	0	0	0	0
Professional	3	0	0	0	0
Technical	0	0	0	0	0
Clerical	2	0	0	0	0
Labor	21	3	1	0	0
Total	33	3	1	0	0

Female:

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
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
Total	0	0	0	0	0

Attachments

Draft Contract and Exhibits for SP-2019-02 Contract for Stream Vegetation Management between the City of Durham and River Works, Incorporated.

SLBE/UBE Compliance Report – Stream Vegetation Management