



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: September 5, 2017

Agenda Item 8-A

Approvals:

City Manager [Signature]

Dept. Head [Signature]

Attorney [Signature]

Finance [Signature]

Department: Public Works / Maintenance Services
Prepared By: Randy Little, Maintenance Manager

Subject: WATER RESERVOIR NO. 1 TREE REMOVAL.

Fiscal Impact: Yes. The cost to remove eucalyptus trees at the Reservoir No. 1 site is \$61,050. Bill Stewart and neighbors have indicated that they could contribute between 10-20% of the cost for tree removals, which would result in a donation of \$6,105 up to \$12,210. Since this tree removal work is not included in the approved budget, a General Fund supplemental appropriation of up to \$54,945 would be needed to complete the removals.

Summary: Staff requests that the City Council provide direction on whether or not to pursue removal of trees at Water Reservoir No. 1.

Background: The trees at Reservoir No. 1 have grown to a height that has impacted the private views of adjacent residents. Trees on reservoir sites within the City have never been under contractual maintenance, but will be included in a new Request for Proposals next year. The tree canopies have been raised for fire management as directed by the Orange County Fire Authority (OCFA), and the site is not included in the utility site maintenance contract because there is no formal landscaping.

Trees at the Water Reservoir No. 1 have been discussed by the Planning Commission and City Council since 2014 as detailed in the May 2, 2017 staff report to the City Council. At the May 2 meeting, the City Council directed staff to proceed with removal of the eucalyptus trees at Reservoir No. 1 with the following caveats: 1) that a cost-sharing arrangement be developed with persons negatively affected by the trees, with a goal of 50% cost-sharing; 2) that tree removal is not to occur during the bird nesting season; and 3) that a replacement plant palette is to be determined when the reservoir is updated.

Discussion: On June 9, 2017 a bid invitation was posted on Planet Bids and was publicly advertised in the Orange County Register Sun Post News on June 9 and 16, 2017. The bid invitation included the specifications for removal of up to 53 mature pine and eucalyptus trees in the immediate vicinity of the City's Water Reservoir No. 1. Since there are eight mature Aleppo pines within the same are as the eucalyptus trees these were included in the bid, however these are listed as individual bid items so the City Council can choose to delete the pine trees from the removal work if desired.

Bids were opened on July 6, 2017. The City received two bids, one from Rod's Tree Service, Inc. and the other from West Coast Arborists. The lowest responsive and

responsible bidder was Rod's Tree Service, Inc. in an amount of \$67,500 (bid provided in Attachment 1). This amount included the removal of eight Aleppo pines noted above. If the pine trees are omitted from the approved scope of work then the cost to remove just the eucalyptus would be \$61,050.

Prevailing Wage applies to this project. The contractor must adhere to all requirements in accordance with applicable laws and regulations. Rod's Tree Service, Inc. is a registered contractor with the DIR, # 1000031436.

As directed by the City Council, staff coordinated with Mr. Bill Stewart on potential cost sharing for the tree removal costs. Mr. Stewart indicated that he would only be able to provide between \$6,105 and \$12,210 which is about 10 to 20% of the tree removal cost. An appropriation of up to \$54,945 would be needed if the Council desired to move forward with the tree removals.

Recommended

Action: STAFF RECOMMENDS THAT the City Council provide direction concerning removal of trees at Water Reservoir No. 1.

Attachments: Bid Proposal by Rod's Tree Service, Inc.

Notification: Bill Stewart plus other nearby interested neighbors.

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BID PROPOSAL
RESERVOIR NO. 1 TREE REMOVAL

COPY

TO THE HONORABLE MAYOR AND
MEMBERS OF THE CITY COUNCIL
City of San Clemente
San Clemente, California

Ladies & Gentlemen:

Pursuant to and in compliance with your Notice Inviting Bids or Proposals, and other documents thereto, the undersigned Bidder, having familiarized himself with the terms of the Contract and the cost of the work at the place where the work is to be done, and with any addenda thereto, hereby proposes and agrees to perform, within the time stipulated, the Contract including all of its component parts and everything to be performed, and to provide and furnish any and all of the labor, materials, tools, equipment and all utility and transportation services necessary to perform the contract, and complete in a workmanlike manner all of the work covered by the contract in connection with the project identified as the Specifications for Reservoir No. 1 Tree Removal project; at the following prices for the items upon which prices are quoted and set opposite those items.

All improvement work required to be performed and materials furnished shall be performed and furnished in strict accordance with the applicable portions of: (1) the Specifications for the Reservoir No. 1 Tree Removal project; (2) "Standard Specifications for Public Works Construction, 2015 edition, by the American Public Works Association (Green Book); (3) "Standard Plans for Public Works Construction", 2012 edition and its supplements, by the American Public Works Association; (4) "California Building Code", 2013 edition; (5) "California Electric Code", 2013 edition; and (6) latest editions of City of San Clemente Engineering Division Technical Standards.

All traffic control shall comply with applicable portions of: (1) "The Work Area Traffic Control Handbook, W.A.T.C.H. Manual, latest Edition; (2) State of California Manual of Traffic Controls for Construction and Maintenance Work Zones, latest edition; and (3) 2014 California MUTCD.

The City Council of the City of San Clemente reserves the right to reject any and all bids, to award all or any individual part/item of the bid, and to waive any informalties, irregularities or technical defects in such bids.

Each Bid shall be accompanied by security in the form of certified check, cashier's check, or bid bond in the amount of ten percent (10%) of the total bid amount. Cash, personal checks or company checks are not acceptable forms of bid security. All certified and cashier's checks must be drawn on a responsible bank doing business in the United States and shall be made payable to THE CITY OF SAN CLEMENTE. Bid bonds must be issued by a surety company licensed to do business in the State of California. Bids not accompanied by the required bid security will be rejected. The bid security shall serve as a guarantee that the bidder will enter into a contract. The

Bidder agrees to forfeit such guarantee to the City of San Clemente should the Bidder to whom the contract is awarded fail to enter into the contract within 15 calendar days after written notification that the contract has been awarded to the successful bidder. In such event the bid security shall become the property of the City of San Clemente.

BID FORM

Reservoir No. 1 Tree Removal Project

BID ITEM	TREE ID NO.	TREE DESCRIPTION	COST
1.	1	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 150 ⁻
2.	2	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 4,000 ⁻
3.	3	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 1,000 ⁻
4.	4	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 3,000 ⁻
5.	5	Aleppo Pine (<i>Pinus halepensis</i>)	\$ 500 ⁻
6.	6	Aleppo Pine (<i>Pinus halepensis</i>)	\$ 800 ⁻
7.	7	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 5,000 ⁻
8.	8	Aleppo Pine (<i>Pinus halepensis</i>)	\$ 500 ⁻
9.	9	Aleppo Pine (<i>Pinus halepensis</i>)	\$ 250 ⁻
10.	10	Aleppo Pine (<i>Pinus halepensis</i>)	\$ 800 ⁻
11.	11	Aleppo Pine (<i>Pinus halepensis</i>)	\$ 1,000 ⁻
12.	12	Aleppo Pine (<i>Pinus halepensis</i>)	\$ 800 ⁻
13.	13	Aleppo Pine (<i>Pinus halepensis</i>)	\$ 1,800 ⁻
14.	14-19	Cluster of six (6) Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 4,500 ⁻
15.	20	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 5,000 ⁻
16.	21-23	Cluster of three (3) Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 5,000 ⁻
17.	24-26	Cluster of three (3) Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 5,000 ⁻
18.	27-28	Cluster of two (2) Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 1,500 ⁻
19.	29-30	Cluster of two (2) Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 4,500 ⁻
20.	31-33	Cluster of three (3) Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 1,500 ⁻
21.	34	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 2,500 ⁻
22.	35	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 5,000 ⁻
23.	36	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 4,000 ⁻
24.	37	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 1,000 ⁻
25.	38	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 4,000 ⁻
26.	39	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 4,000 ⁻
27.	40	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 1,000 ⁻
28.	41	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 3,000 ⁻
29.	42-43	Cluster of two (2) Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 1,500 ⁻
30.	44	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 0 ⁻
31.	45	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 0 ⁻
32.	46	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 0 ⁻
33.	47	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 150 ⁻
34.	48	Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 150 ⁻
35.	49-51	Cluster of three (3) Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 400 ⁻
36.	52-53	Cluster of two (2) Sugar Gum (<i>Eucalyptus cladocalyx</i>)	\$ 1,000 ⁻

Grand Total Bid Price for Reservoir No. 1 Tree Removal Project

\$ 67,500⁰⁰

Grand Total Bid in Words:

Sixty Seven Thousand Five Hundred

All quantities shown are estimates for bidding purposes only. The City reserves the right to delete any or all of the bid items from the project. The Contract will be awarded to the lowest responsive and responsible bidder, based on the grand total bid price. The quantities are subdivided for budgeting and accounting purposes only.

Bidder Company Name: Rod's Tree Service Inc.

Address: P.O. Box 3897

San Clemente CA 92674

Phone: (949) 683-2567

If awarded the Contract, the undersigned hereby agrees to sign said Contract and furnish the necessary bonds (100% of the Contract price for Faithful Performance, and 100% of the Contract price for Labor and Materials Payment) within fifteen (15) calendar days after notification of award of the Contract.

It is understood and agreed that the work under a Contract awarded pursuant to this Bid will be commenced by the undersigned Bidder, if awarded a Contract, within ten (10) working days upon receipt of written Notice to Proceed from the City, and will be completed by the Contractor within fifteen (15) calendar days from said date of the Notice to Proceed. Failure of the Contractor to complete work within the time allowed will result in damages being sustained by the Agency. Unless otherwise provided, the Contractor will pay to the Agency five hundred dollars (\$500.00) for each day of delay in finishing time work in excess of time specified for completion, plus any authorized time extensions, all as provided in Section 6-9 of said Standard Specifications for Public Works Construction. The \$500.00 per day liquidated damages provision is not intended to cover actual expenses reasonably and necessarily incurred by the City in retaining other contractors, inspectors, engineering consultants, etc., as a result of any delay by the Contractor.

It is understood that the quantities shown for the unit price items are approximate only and subject to increase or decrease, being stated only for the purpose of comparing bids and fixing the amount of surety bonds, and that should the quantity of work on the unit price basis be increased, the undersigned Bidder will perform the additional work at the unit price set out herein, and that should the quantity be decreased, payment is to be made on the actual quantity installed at such unit price, and the undersigned Bidder will make no claims for anticipated profits or additional compensation for any increase or decrease in the quantity. It is further understood that actual quantities on the unit price items will be determined upon completion of the work covered by the Contract.

The undersigned hereby certifies that this Proposal is genuine and not sham or collusive, or made in the interest or behalf of any persons not herein named, and that the undersigned has not directly or indirectly induced or solicited any other bidder to put in sham bid, or any other persons, firm or corporation to refrain from bidding, and that the undersigned has not in any manner sought by collusion to secure for himself an advantage over any other bidder. The undersigned also certifies that he is familiar with the various State and local laws affecting bonds, length of working days, employer's liabilities, Sunday work, alien labor, domestic materials, subcontracts, etc. Bid Proposals shall remain valid for a minimum of ninety (90) calendar days from the date of bid opening.

It is also understood that the Bid price includes all applicable taxes, bond costs, license fees, etc.

Attached hereto is a list of subcontractors proposed to be employed on the project for which this Proposal is submitted.

Also attached hereto is a Bidder's Bond, Certified Check, or Cashier's Check, made payable to the City of San Clemente in the amount of \$ 6,750 -, which is not less than ten percent (10%) of the grand total amount of this Bid.

DATED this 5 day of July, 2017

Richard "Rod" Rodriguez
Bidder Name

122 Calle Del Pacifico
Street Address

San Clemente CA 92672
City State Zip Code

(949) 533-3074
Phone No.

554178 C-61/049 Tree Service Exp. 3/31/2020
State License No. (Including Classification & Expiration Date)

Representations made herein, including Contractor's license number and expiration date, are made under penalty of perjury.

Richard Rodriguez
Print Name and Title of Authorized Bidder Official

[Signature]
Signature

LIST OF SUBCONTRACTORS

Reservoir No. 1 Tree Removal

The bidder shall list below the name and location of the place of business of each subcontractor who will perform work or render services to the prime contractor in or about the construction of the work or improvement in excess of one-half of one percent (1/2%) of the prime contractor's total bid or ten thousand dollars (\$10,000) whichever is greater in accordance with the requirements of Section 4100 to 4113 inclusive of the California Public Contract Code.

Substituting a subcontractor in place of a subcontractor listed in the original bid without the City's approval or subcontracting work to which no subcontractor was designated in the original bid (and was required to be designated) or other subcontracting violations, may at the City's discretion, result in cancellation of the contract or a financial penalty.

Name and Address of Subcontractor	License No.	Bid Item No.(s)	Percent of Bid Item	Percent of Total Bid
N/A	N/A	N/A	N/A	N/A

Note: Do not list alternative subcontractors for the same work.

Prime Contractor: Rod's Tree Service Inc.

EXPERIENCE

Reservoir No. 1 Tree Removal

Submit a brief description of the character of work previously executed, giving the location, the year in which it was done, the agency or owner, phone number and such other information as will tend to show ability to prosecute the work required by this Specification.

1. Ole Hanson Beach Club / North Beach
Project Name, Location
City of San Clemente 100 Ave. Presidio (949) 361-8278
Name, Address, Telephone of Owner
Randy Little (949) 361-8278
Name and Telephone Number of Person Familiar with Project
\$ 19,000 1 week June 16, 2016
Contract Amount, Time to Complete, Completion Date
Tree Removal + Tree Planting with use of crane
Description of Work

2. Forester Ranch Park 3207 Camino Vera Cruz, San Clemente
Project Name, Location
City of San Clemente 100 Ave. Presidio (949) 361-8278
Name, Address, Telephone of Owner
Randy Little (949) 361-8278
Name and Telephone Number of Person Familiar with Project
\$ 12,500 1 week April 30 2015
Contract Amount, Time to Complete, Completion Date
Removal of 32 trees on slope and trimming of 18 residential trees with the use of a crane.
Description of Work

3. Oriente Canyon 173 Ave. La Cuesta, San Clemente
Project Name, Location
City of San Clemente, 100 Ave. Presidio (949) 361-8278
Name, Address, Telephone of Owner
Randy Little (949) 361-8278
Name and Telephone Number of Person Familiar with Project
\$ 6,500 1 Day February 3, 2016
Contract Amount, Time to Complete, Completion Date
Removal of 5 Eucalyptus with the use of crane +
Description of Work
Trimming of 4 Eucalyptus.