

FOR BOARD ACTION

Agenda Item # 5.b.

Meeting Date:

10/30/07

SUBJECT:

Contract Amendment for Hourly Line Clearance Tree Trimming

PREPARED BY:

Mark Kotschevar, Manager of Maintenance and Construction

ITEM DESCRIPTION:

On February 16th, 2006, the City entered into a two year contract agreement with Asplundh Tree Expert, in the amount of \$200,960.00, to furnish all labor and equipment to perform line clearance tree trimming for RPU's transmission and distribution system. The agreement calls for one two person crew to work year round and a second two person crew to work from approximately May thru September each year. In addition to the hourly contract crews, RPU also budgeted \$100,000 for lump sum tree trimming in 2007. This is where specific trimming projects such as individual feeders are bid out on a lump sum basis.

There is little flexibility with the lump sum bids as the contractor is tied to a set clearance distance and price with the bid. We have been pleased with the performance of the hourly crews and feel RPU and the customer are getting a better trimming job when the crews have the flexibility to achieve greater clearances, remove hazard trees, and accommodate customer requests. In addition, we now have a full time tree trimming coordinator that directs the hourly crews and interfaces with customers who have trimming requests or questions.

As such we feel it would be in the best interest of RPU and the customers to continue with the second hourly crew until years end. We would propose using the \$100,000 budgeted for lump sum trimming to cover the additional contract cost. I have attached a copy of the standard contract amendment form for your review.

UTILITY BOARD ACTION REQUESTED:

Staff recommends that the Board request the Council to approve a contract amendment with Asplundh Tree Expert Co. in the amount of \$100,000 (for a total contract amount of \$300,960.00) and that the Council authorize the Mayor and the City Clerk to execute the amendment.



General Manager

10/25/07
Date

ROCHESTER PUBLIC UTILITIES

AMENDMENT NO. 1

HOURLY LINE CLEARANCE TREE TRIMMING CONTRACT

WHEREAS, Asplundh Tree Expert Co. (herein called "Contractor"), and City of Rochester, a Minnesota municipal corporation, acting through its Public Utility Board, (hereinafter called "City"), have entered into a CONTRACT dated February 16th, 2006 to provide services for Hourly Line Clearance Tree Trimming and;

WHEREAS, Contractor has performed work differing from the original scope of work agreed to and/or the specified dollar amount agreed to between the City and Contractor is to be modified;

NOW, THEREFORE, in consideration of the foregoing, Contractor and City hereby agree to the following amendment to said CONTRACT.

1. This amendment provides for:
The extension of the second hourly crew until December 31, 2007.

2. City and Contractor agree to a net (increase/decrease) in the fee limit set forth in said CONSTRUCTION CONTRACT as follows:

Original Contract Amount	\$ <u>200,960</u>
This Amendment	\$ <u>100,000</u>
 TOTAL AMENDED CONTRACT AMOUNT	 \$ <u>300,960</u>

The maximum amount to be paid by City under this CONTRACT shall not exceed the above without written consent of the City.

3. Except as provided herein, all terms and conditions of the CONTRACT between Contractor and City dated February 16th, 2006 remain unchanged and in full force and effect.

IN WITNESS THEREOF, the parties have caused this amendment to be made and entered into this _____ day of _____, 2007.

CONTRACTOR

CITY OF ROCHESTER

By: _____

By: _____

Its: _____

Its Mayor

Attested by: _____

Its City Clerk

Reviewed by: _____

Its City Attorney

ROCHESTER PUBLIC UTILITIES

By: _____

Its General Manager



RESOLUTION

BE IT RESOLVED by the Public Utility Board of the City of Rochester, Minnesota, that the Common Council of the said City is requested to approve a contract amendment with Asplundh Tree Expert Co., and that the Common Council authorize the Mayor and the City Clerk to execute Amendment No. 1 for

Hourly Line Clearance Tree Trimming Contract (original amount):	\$200,960.00
Amendment No. 1:	100,000.00
Amended Contract Amount:	\$300,960.00

The amount of the amended contract to be THREE HUNDRED THOUSAND NINE HUNDRED SIXTY DOLLARS AND 00/100 DOLLARS (\$300,960.00).

Passed by the Public Utility Board of the City of Rochester, Minnesota, this 30th day of October, 2007.

President

Secretary