

MEETING DATE
October 9, 2017
Subject: Contract Award - Windermere Land & Tree Service, Inc.



AGENDA REPORT

AGENDA
Section: Consent Agenda
Item #: 5

Department/Office:
Administration

Requested Action or Motion: Move to approve contract award for debris removal services with Windermere Land & Tree Service, Inc. for Hurricane Irma debris clean-up.

Summary Explanation & Background:

On September 20, 2017, the City's contracted debris hauler, AshBritt, Inc. notified the City that they were unable to fulfill their contract with the City to remove bulk debris from the City. The City then completed an abbreviated competitive selection, contacting debris haulers in the area in an attempt to obtain bids to remove debris. The City received only two complete proposals for debris hauling and some incomplete proposals for partial work. Based upon a cost analysis and the ability to mobilize to address the emergency situation created by the large accumulations of debris throughout the City, the City Manager selected Windermere Land and Tree to remove debris from the City.

Under the City's Purchasing Policy Section 20 - Emergency Procurement, the City Manager or designee may make or authorize others to make emergency procurement when there exists a threat to public health, welfare, or safety. Such emergency procurements are to be made with such competition as is practicable under the circumstances. On September 18, 2017, the Governor directed counties and cities to aggressively prioritize debris clean-up caused by Hurricane Irma so that the debris does not hamper or interfere with recovery efforts. In addition, the City Manager determined that the emergency circumstances created a hazardous condition, and that this emergency circumstance did not permit a delay resulting from a full competitive solicitation. FEMA additionally recognizes that when a public exigency or emergency exists, an abbreviated competitive selection and cost analysis is an acceptable procurement methodology.

Due to numerous debris haulers greatly increasing their pricing or leaving the area to pursue higher per cubic yard pricing, there was limited competition for these services locally. This situation was created because of the already deployed resources in Texas and the wide impact of Irma in Florida. Additionally, the debris creates a hazard to the health, welfare and safety of Maitland citizens and needs to be mitigated immediately as they create hazards in the areas of the schools for children walking and riding, for pedestrians and vehicles, and for emergency response vehicles.

The firm of Fishback, Dominick, Bennett, Ardaman, Ahlers, Langley and Geller, LLP drafted the contract for the City and they are familiar with FEMA contracting requirements. The City Manager signed the contract on September 22, 2017, and is recommending the Council approve the emergency purchase tonight (the next available regular Council meeting).

Fiscal Impact:

Current approximate cost is \$1,000,000 for debris removal services.

Exhibits: New Contract with Windermere Land and Tree (PDF)

Contact Person: Sharon Anselmo, City Manager

Commission/Board:

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Reviewed by City Attorney

Yes N/A