

Memorandum



CITY OF DALLAS

DATE November 8, 2019

TO Honorable Mayor and Members of City Council

SUBJECT **Texas Department of Transportation (TxDOT) Grounds Maintenance Contract**

On October 23, 2019, the City Council deferred approval of the Texas Department of Transportation (TxDOT) Grounds Maintenance Contract (Contract), to its November 13, 2019 agenda meeting, so that it could have a fuller discussion at the Government Performance & Financial Management Committee. The committee asked additional questions and moved this item forward to City Council with no recommendation. This memo provides background information on the Contract services and addresses other issues raised during the October meeting. Staff will also be available to answer questions during the November 13th City Council Meeting.

Background

Agreement with TxDOT

In July 2016, the City and TxDOT entered into the current five-year commitment through a Municipal Maintenance Agreement (MMA) that provides the City shall maintain, *in place of TxDOT*, TxDOT rights-of-way in the City limits. Under the MMA, **TxDOT reimburses the City for the work that TxDOT would have completed**. This work consists of three mowing cycles and 12 litter pick-up cycles a year.

Through the MMA, the City can increase the frequency of litter pick-up and mowing cycles, and it can do so without obtaining consent from TxDOT every time the City seeks to increase services at a TxDOT right-of-way. In addition, the City provides these additional services at TxDOT rights-of-ways:

- litter pick-up immediately before mowing (as opposed to mowing over litter);
- vegetation control along roadsides to improve visibility; and
- other landscaping work.

The Procurement and Contracting Process

To complete the work discussed above, the City went through a competitive procurement process and recommended the lowest responsive and responsible bidder, currently Good Earth Corporation. The Good Earth contract expires on January 29, 2020. For these services to continue, the City will need to enter into a new contract with a qualified vendor.

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To establish a new contract, the Office of Procurement Services advertised a request for bids for a three-year agreement that includes mowing, litter removal, landscaping, watering, and herbicide application. Procurement Services advertised this opportunity on June 27, 2019, and July 4, 2019 in the Dallas Morning news as well as posting in Bonfire, its electronic bid portal. It also contacted additional vendors as provided by the Office of Business Diversity. 255 unique vendors were directly contacted with this opportunity. Three vendors submitted a bid; one was deemed non-responsive. The lowest responsible and responsive bidder was Good Earth, the incumbent vendor.

Additional Information

The Office of Business Diversity works with all prime contractors before and during the contract period to ensure efforts are made to comply with the City's business inclusion policy. Subcontractors can be added and/or replaced any time during the contract period if the Office of Business Diversity is notified of the change and the notification includes the reason.

The TxDOT Ground Maintenance contract was originally awarded with 11.0% MWBE participation. Due to time constraints for awarding the Contract in order to prevent services from being disrupted, OBD conditionally approved the Contract with 11.0% M/WBE participation with a commitment from Good Earth to continue good faith efforts to meet the 23.8% M/WBE goal.

As of today, this item includes participation from four M/WBE vendors **resulting in \$4.7M or 26.0% M/WBE participation on a 23.8% goal**. In an effort to build the capacity and experience for M/WBE landscaping companies interested in performing on TxDOT ground maintenance projects, OBD will continue working with Good Earth and Public Works Department to identify scopes that create additional opportunities and reduce barriers for meaningful participation.

Questions from the GPFM Committee

During the GPFM Committee Meeting some additional questions were asked including:

1. How many contracts does the City of Dallas have for grounds maintenance, and how many were awarded to Good Earth?
 - a. There are currently 14 contracts, and Good Earth holds five out of the current 14 active contracts, and roughly 68% of the contracted value. All of the current vendors are included in the following table:

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Vendor	Total Award Amount	M/WBE \$	M/WBE %	# of Contracts
Cross Plus Construction, LLC	551,000.00	137,750.00	25.00%	1
Eden's Touch Landscape Management*	855,360.00	203,575.68	23.80%	1
Gardner's Touch Lawn Care LLC	887,754.40	-	0.00%	1
Good Earth Corporation	32,264,828.00	5,280,300.16	16.37%	5
Moir Watershed Services, LLC	4,966,190.75	1,039,044.43	20.92%	2
T Smith's Lawn Service**	5,504,967.63	1,310,182.30	23.80%	1
Texas Blooms Organic Landscaping	213,334.51	-	0.00%	1
Urban Landscaping & Irrigation*	1,906,551.00	444,602.09	23.32%	2
Grand Total	47,149,986.29	8,415,454.65	17.85%	14

*Certified Minority and Women-Owned Business Enterprises

**Minority-Owned, not certified

2. What are the specific TxDOT locations for the Contract?
 - a. The following locations included in the attached maps, are included in the contract. The City has the right to add additional locations should the budget allow.

GROUP 1 EAST		GROUP 2 WEST	
HIGHWAY	LIMITS	HIGHWAY	LIMITS
	East Zone		West Zone
IH20	1/2 mile west of SH 342 (Lancaster City Limits) to SH310	FM1382	IH20 to Cedar Hill City Limits
IH20	West of Trinity River to IH 635	IH20	Dallas City Limits (3/4 Mile west of Mountain Creek Parkway) to Cedar Ridge Drive
IH30	Trinity Railway Express to Mesquite City Limits	IH20	Cockrell Hill Road to 1/2 mile east of IH35E (Lancaster City Limits)
IH45	IH30 to Grand Avenue	IH30	Dallas City Limits (1 mile west of LP12) to Trinity Railway Express
IH45	Overton Road to Pine Street (under elevated area of IH45)	IH35E	Harry Hines Boulevard to Reunion Boulevard
IH45	Grand Avenue to LP12	IH35E	Reunion Boulevard to LP12
IH45	LP12 to IH 20 (South Limits at Langdon)	IH35E	LP12 to Dallas City Limits
IH345	Flora to Elm	IH635	West Dallas City Limits to Denton Drive

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IH635	Merit to LaPrada	LP12	IH35E to Elm Fork Trinity River
LP12	Pemberton Hill to Carbondale	LP12	From Trinity River Bridge to 0.3 miles south of Illinois
SH310	IH45 to US175 (includes under SH310 bridge)	SH180	Dallas City Limits to LP12
US175	Grand Avenue to Seagoville City Limits	SH183	Elm Fork Trinity River to IH35E
US75	Hamilton Park Addition to the South, Schroeder to the east, and US 75 north bound	SP408	LP12 to IH20
US75	Flora to Midpark	SP482	Denton Drive to Elm Fork Trinity River
US80	LP12 to Mesquite City Limits	US67	IH35E to IH2057913
		US67	IH20 to Duncanville City Limits

3. What services will be provided during the Contract and what was initially projected?
- a. Due to a decrease in the budget for Grounds Maintenance for TxDOT Right of Way, the services provided over the next two years will be less than originally projected. The following table shows historic usage, projected usage, and what will likely be the actual usage based on budget constraints. Since this is an Indefinite Delivery/Indefinite Quantity (IDIQ) contract, the City has the right to increase the number of cycles, should the budget be increased.

Historical Average Annual Usage	Projected for Proposed Contract Annual Usage*	Annual Usage Based on Appropriated Budget
<p><u>MOWING</u> 8 Cycles citywide</p> <p><u>LITTER ACTIVITIES</u> 12 Cycles citywide (1 Cycle per month citywide)</p> <p><u>HANDWORK-MAJOR</u> 6509 Hours used citywide</p> <p><u>HANDWORK-MINOR</u> 420 Hours used citywide</p> <p><u>HERBICIDE</u> 268 Acres used citywide</p> <p><u>LANDSCAPE AREAS</u> 100% 12 Locations</p>	<p><u>MOWING ACTIVITIES</u> 10 Cycles citywide</p> <p><u>LITTER ACTIVITIES</u> 24 Cycles citywide (2 Cycles per month citywide)</p> <p><u>HANDWORK-MAJOR</u> 19,000 Hours to be used citywide</p> <p><u>HANDWORK-MINOR</u> 8,000 Hours to be used citywide</p> <p><u>HERBICIDE</u> 7,000 Acres to be used citywide</p> <p><u>LANDSCAPE AREAS</u> 100% 15 Locations</p>	<p><u>MOWING ACTIVITIES</u> 3 Cycles citywide</p> <p><u>LITTER ACTIVITIES</u> 12 Cycles citywide (1 Cycle per month citywide)</p> <p><u>HANDWORK-MAJOR</u> 225 Hours to be used citywide</p> <p><u>HANDWORK-MINOR</u> 338 Hours to be used citywide</p> <p><u>HERBICIDE</u> Zero (0) Acres to be used citywide</p> <p><u>LANDSCAPE AREAS</u> 60% 9 Locations</p>

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*Public Works projected annual usage was based on feedback provided by the Council and community.

4. What is the fiscal information regarding this contract?
 a. Since this is an IDIQ contract the budget for services will be mostly dependent on the appropriated budget as illustrated below.


Fund	FY 2019-20 Adopted	FY 2020-21 Planned	Remaining Contract Capacity
General Fund	\$1,759,795.00	\$1,759,795.00	\$14,451,472.00
Total	\$1,759,795.00	\$1,759,795.00	\$14,451,472.00

5. How will the contractor be held accountable for quality service?

- a. The contract has very specific deliverables that will be analyzed daily by the Contract Administrator. The following table illustrates the required reporting and the performance measures that will be tracked with this contract.

Key Deliverables	Reporting	City Inspection	Performance Measure	Payment Deduction for Failed Inspections:
Grounds Maintenance in ROW including but not limited to: <ul style="list-style-type: none"> Mowing Litter Landscaping 	Daily	On going	Percentage of work performed correctly on 1 st inspection	<ul style="list-style-type: none"> \$100 for 1st \$150 thereafter

If you have any questions please contact Chhunny Chhean, Interim Director of Procurement Services, or Robert Perez, Director of Public Works, or Zarin Gracey Director of the Office of Business Diversity.


 Kimberly Tolbert
 Chief of Staff to the City Manager

- c: T.C. Broadnax, City Manager
 Chris Caso, City Attorney (Interim)
 Mark Swann, City Auditor
 Billerae Johnson, City Secretary
 Preston Robinson, Administrative Judge
 Jon Fortune, Assistant City Manager
- Majed A. Al-Ghafry, Assistant City Manager
 Joey Zapata, Assistant City Manager
 Elizabeth Reich, Chief Financial Officer
 Michael Mendoza, Chief of Economic Development and Neighborhood Services
 Laila Aleqresh, Chief Innovation Officer
 M. Elizabeth (Liz) Cedillo-Pereira, Chief of Equity and Inclusion
 Directors and Assistant Directors



Public Works TxDOT Mowing Routes for Council District 1

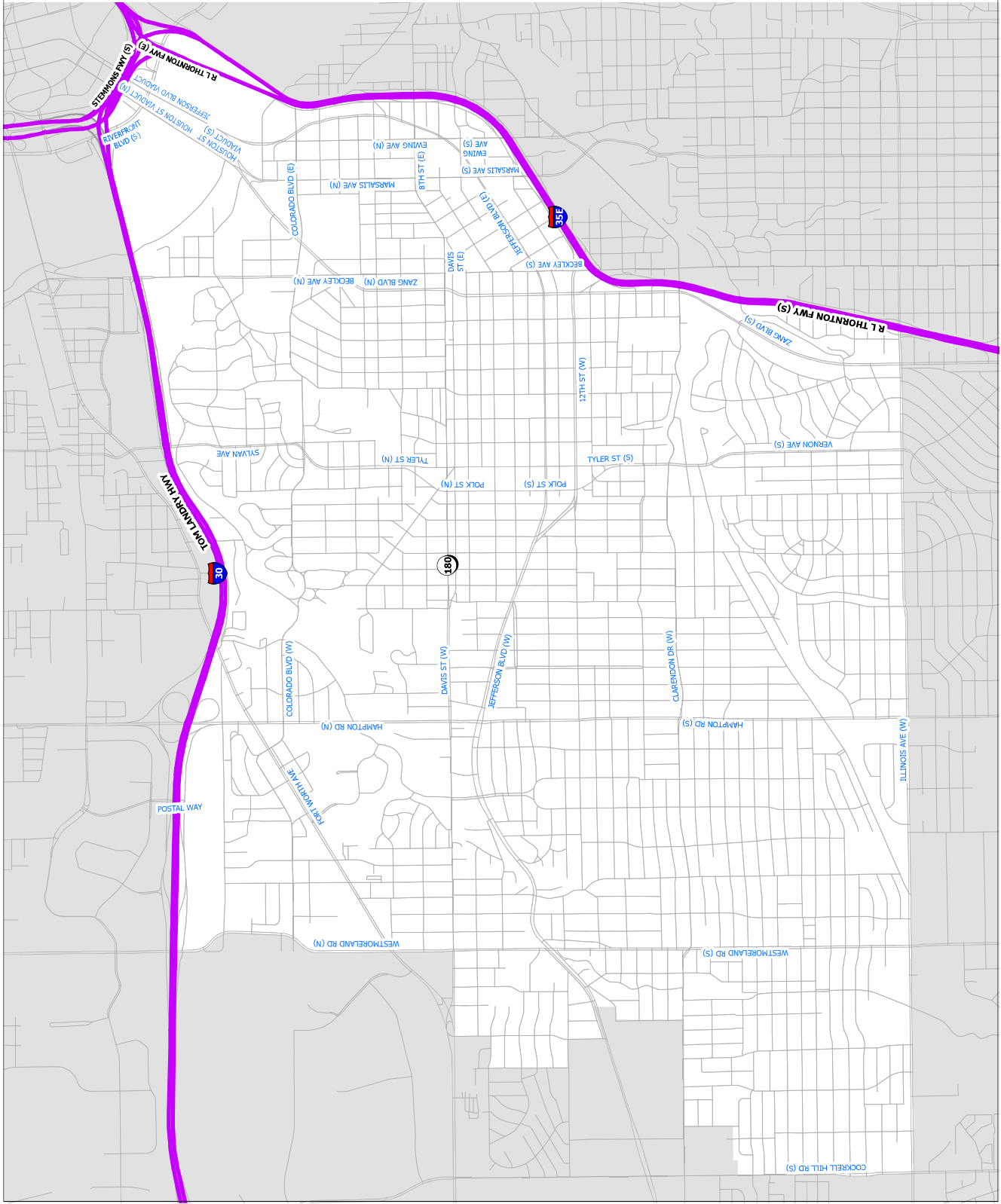


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Legend

Mow Group

TxDOT-West



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Public Works TxDOT Mowing Routes for Council District 2



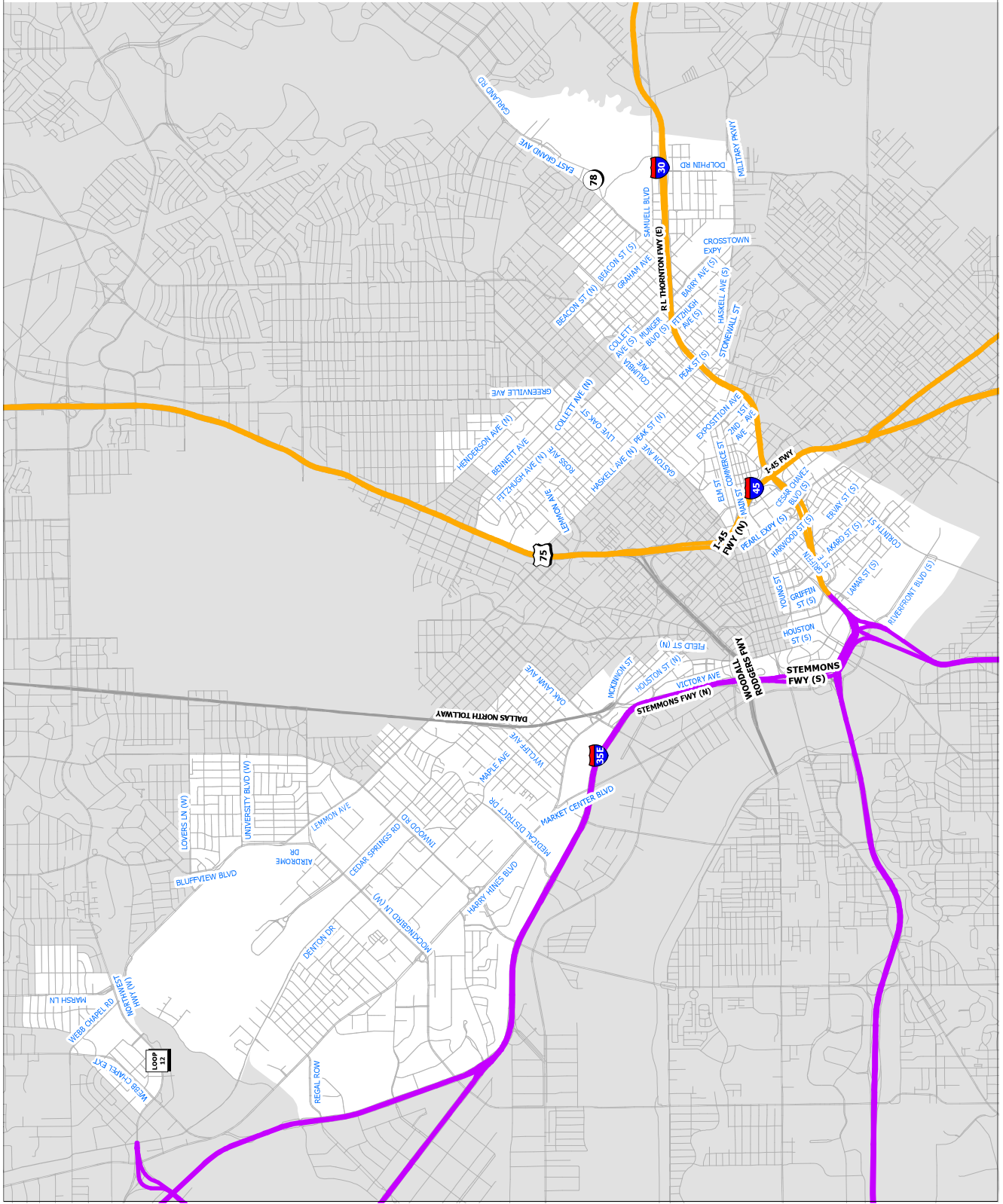
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Mow Group

— TxDOT-East

— TxDOT-West



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Public Works TxDOT Mowing Routes for Council District 3



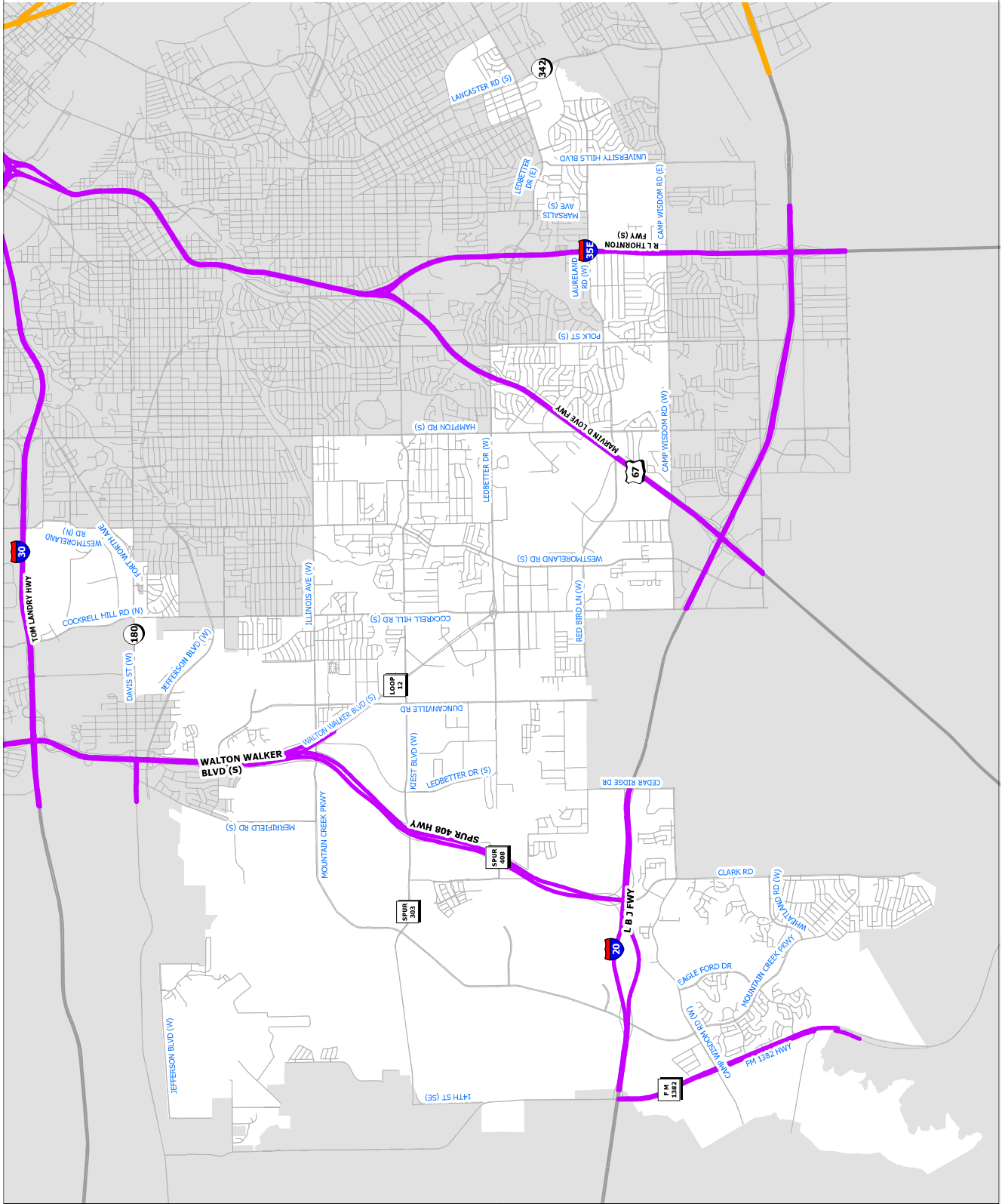
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— TxDOT-East

— TxDOT-West

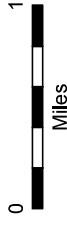


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Public Works TxDOT Mowing Routes for Council District 4



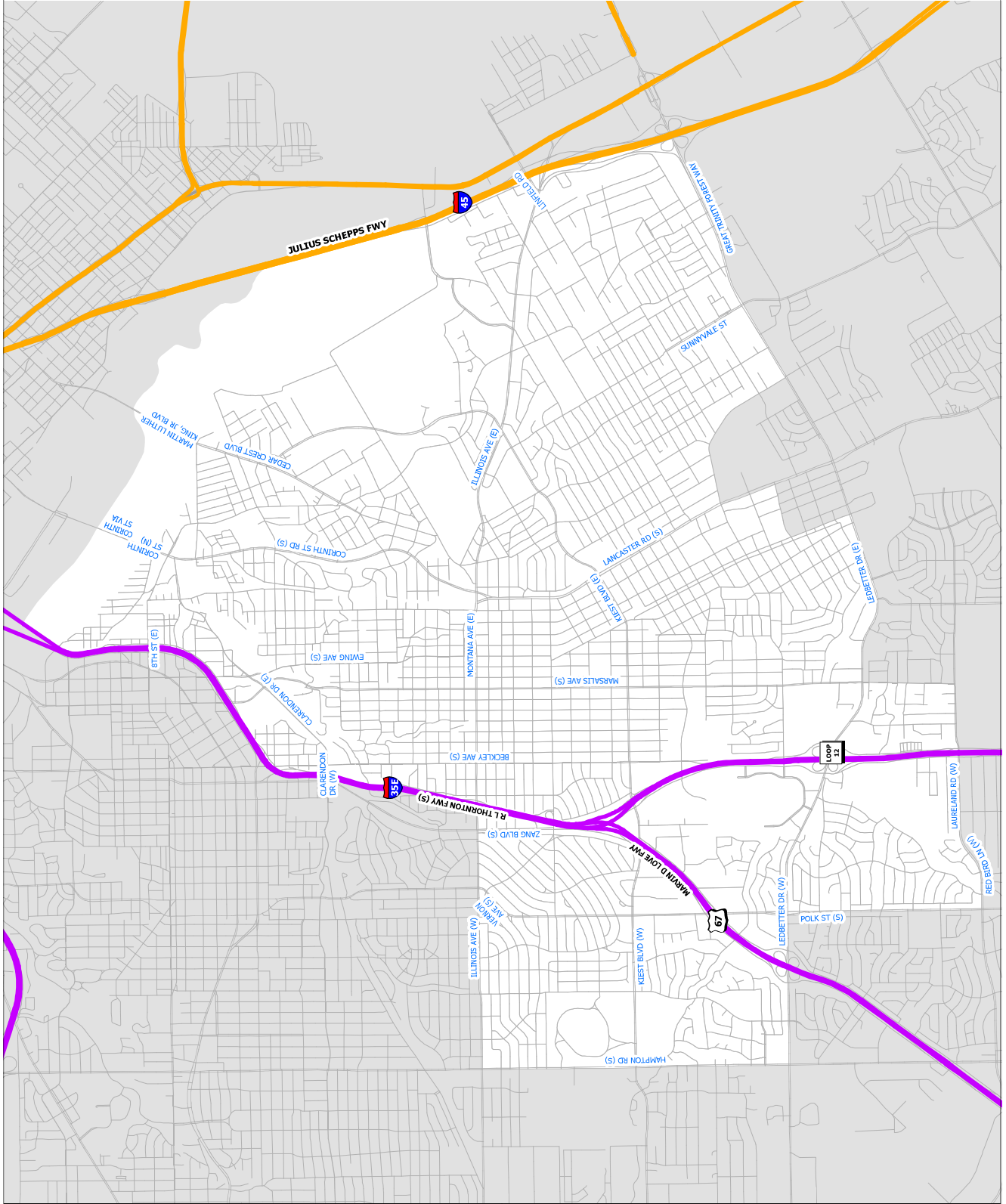
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Mow Group

TxDOT-East

TxDOT-West



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Public Works TxDOT Mowing Routes for Council District 5

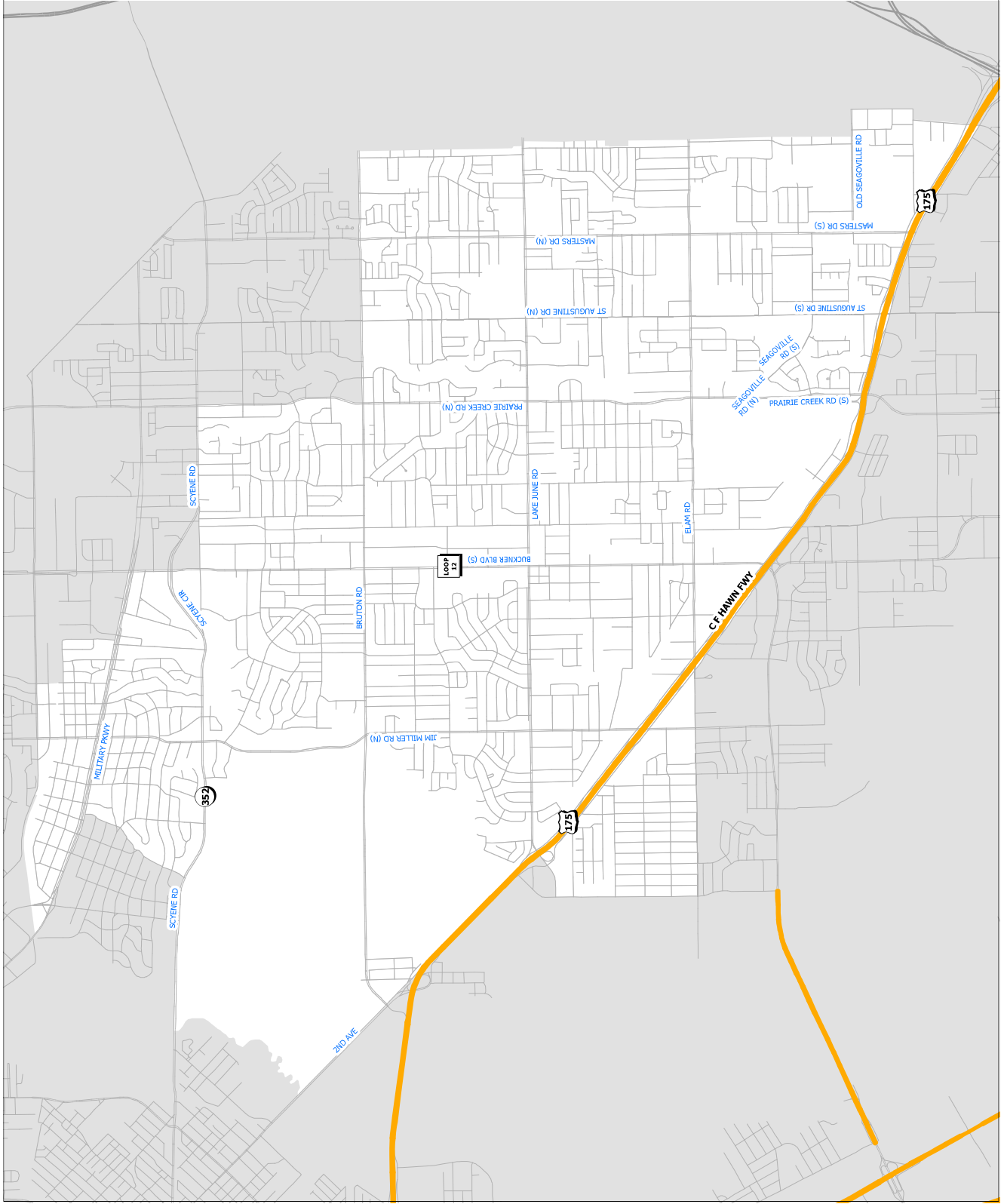


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TxDOT-East



City of Dallas



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Public Works TxDOT Mowing Routes for Council District 6



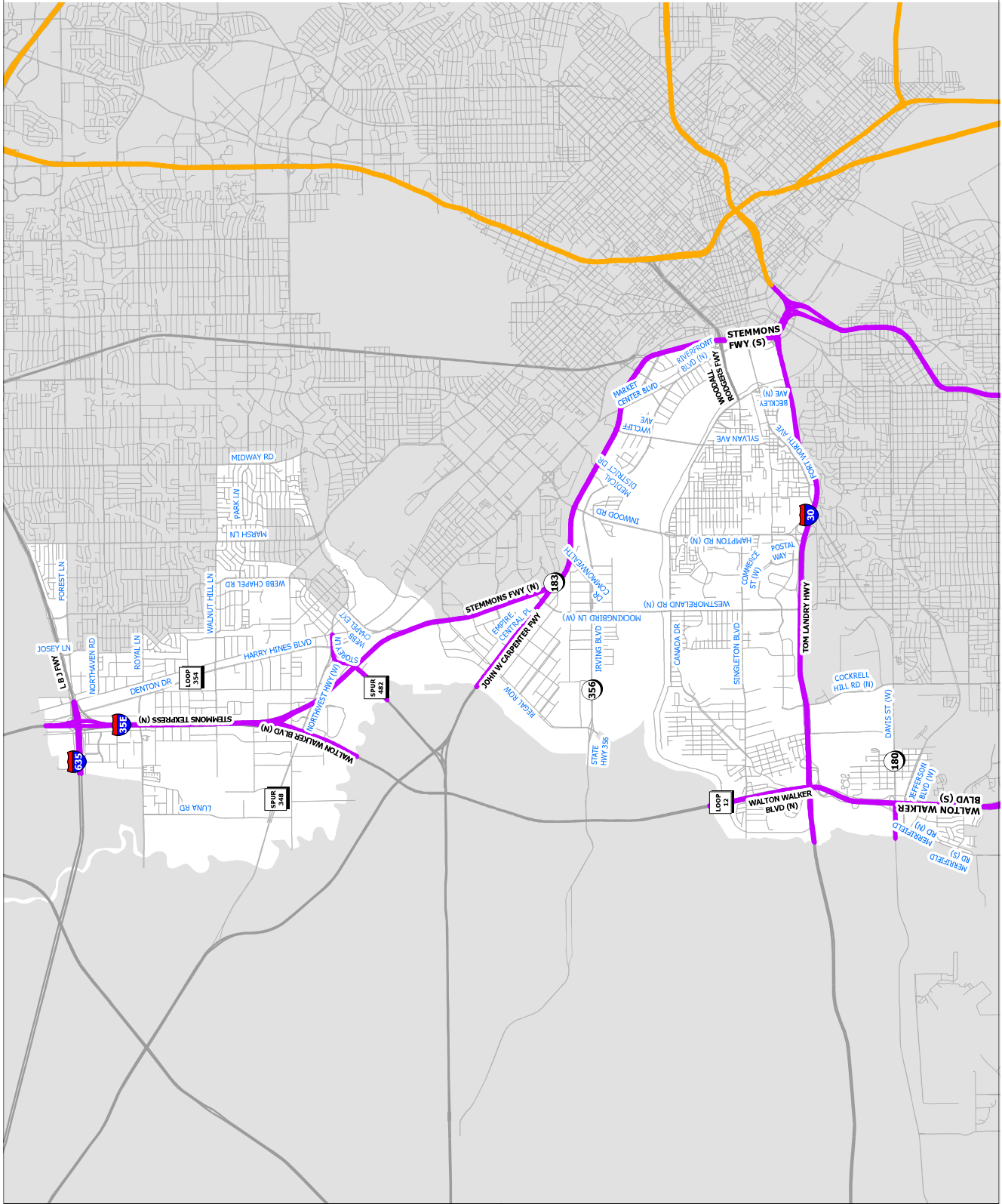
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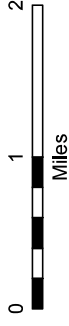
TxDOT-East

TxDOT-West





Public Works TxDOT Mowing Routes for Council District 7



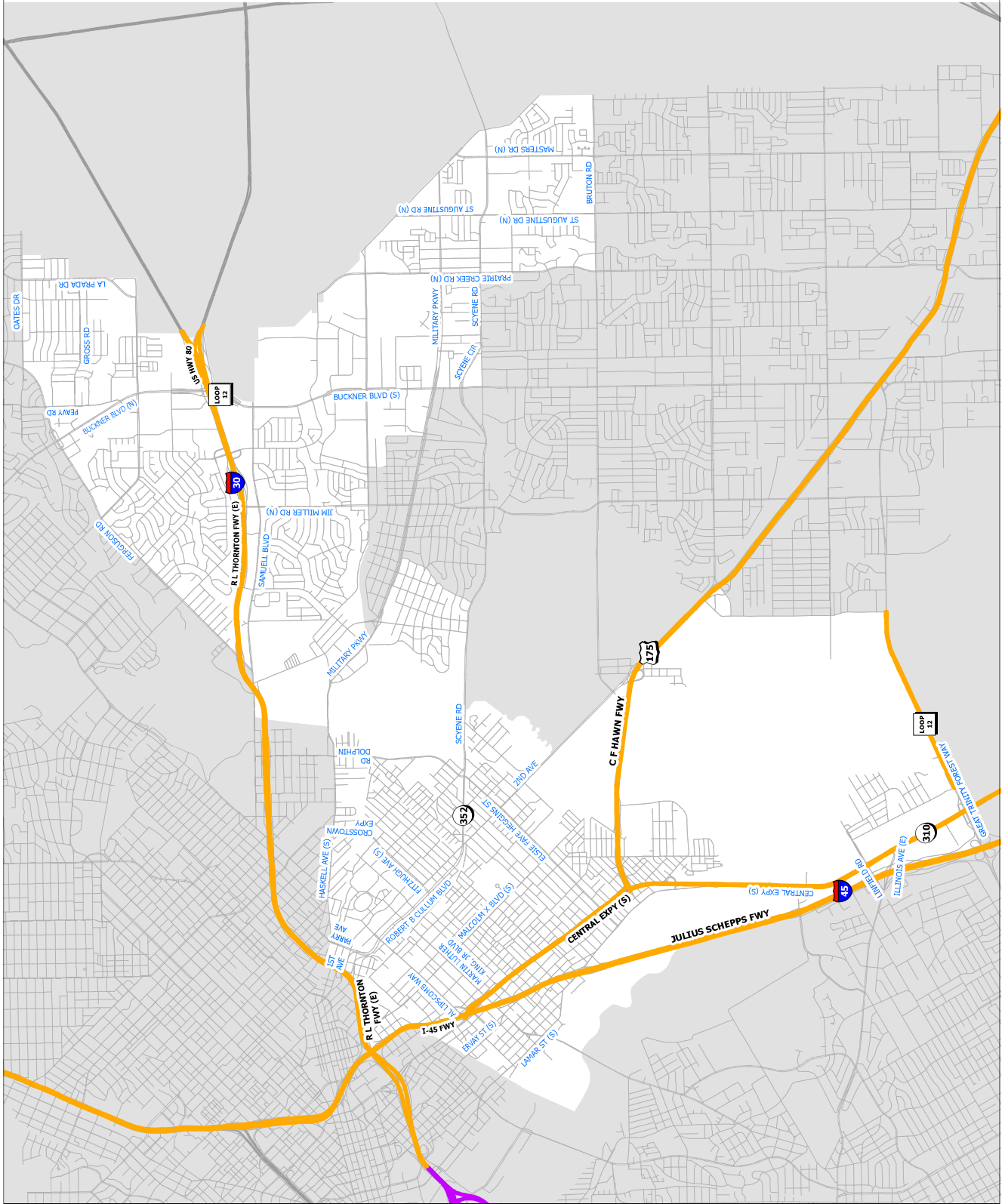
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TxDOT-East

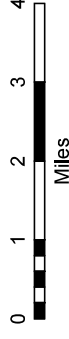
TxDOT-West



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Public Works TxDOT Mowing Routes for Council District 8



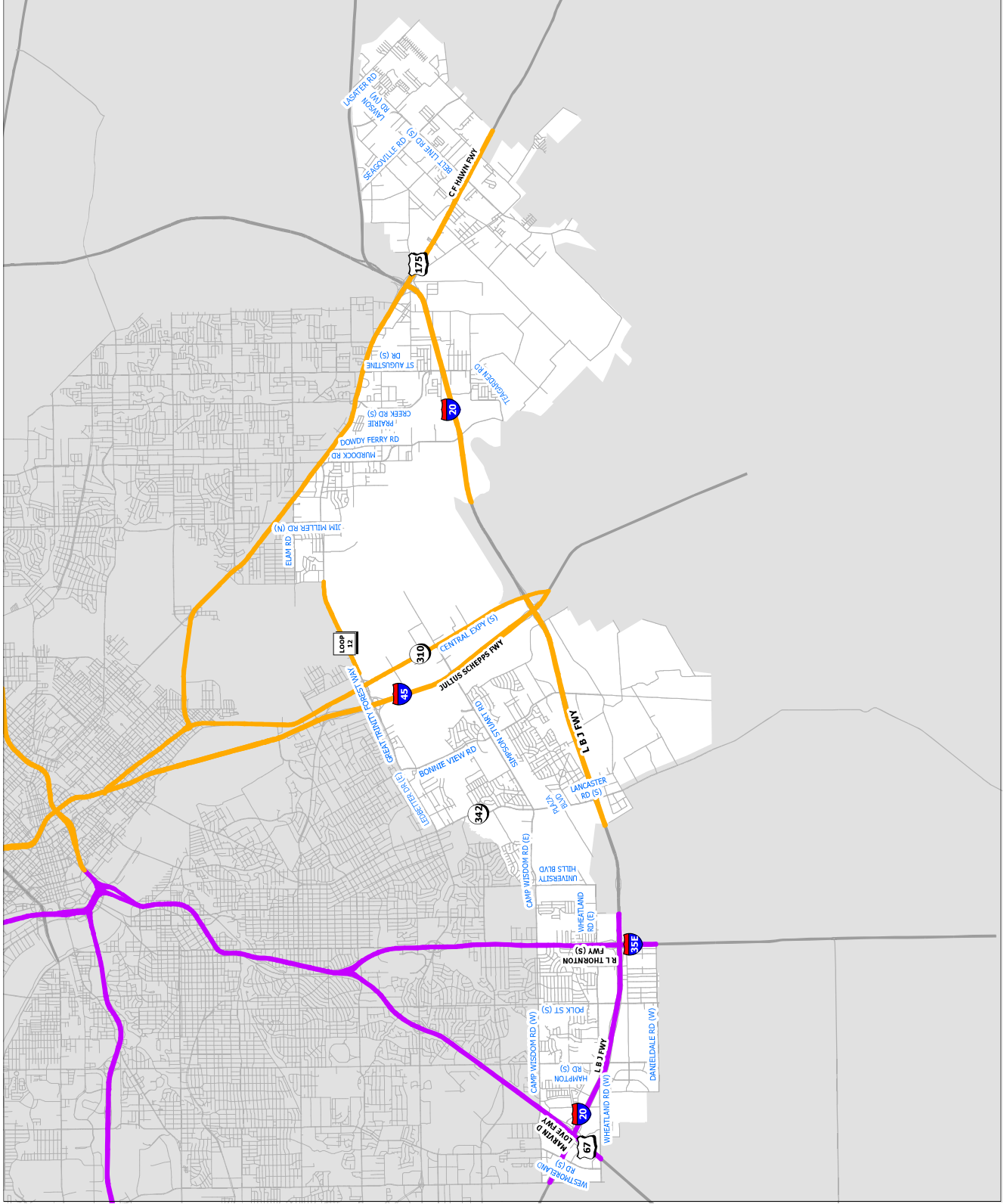
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Mow Group

— TxDOT-East

— TxDOT-West



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Public Works TxDOT Mowing Routes for Council District 9

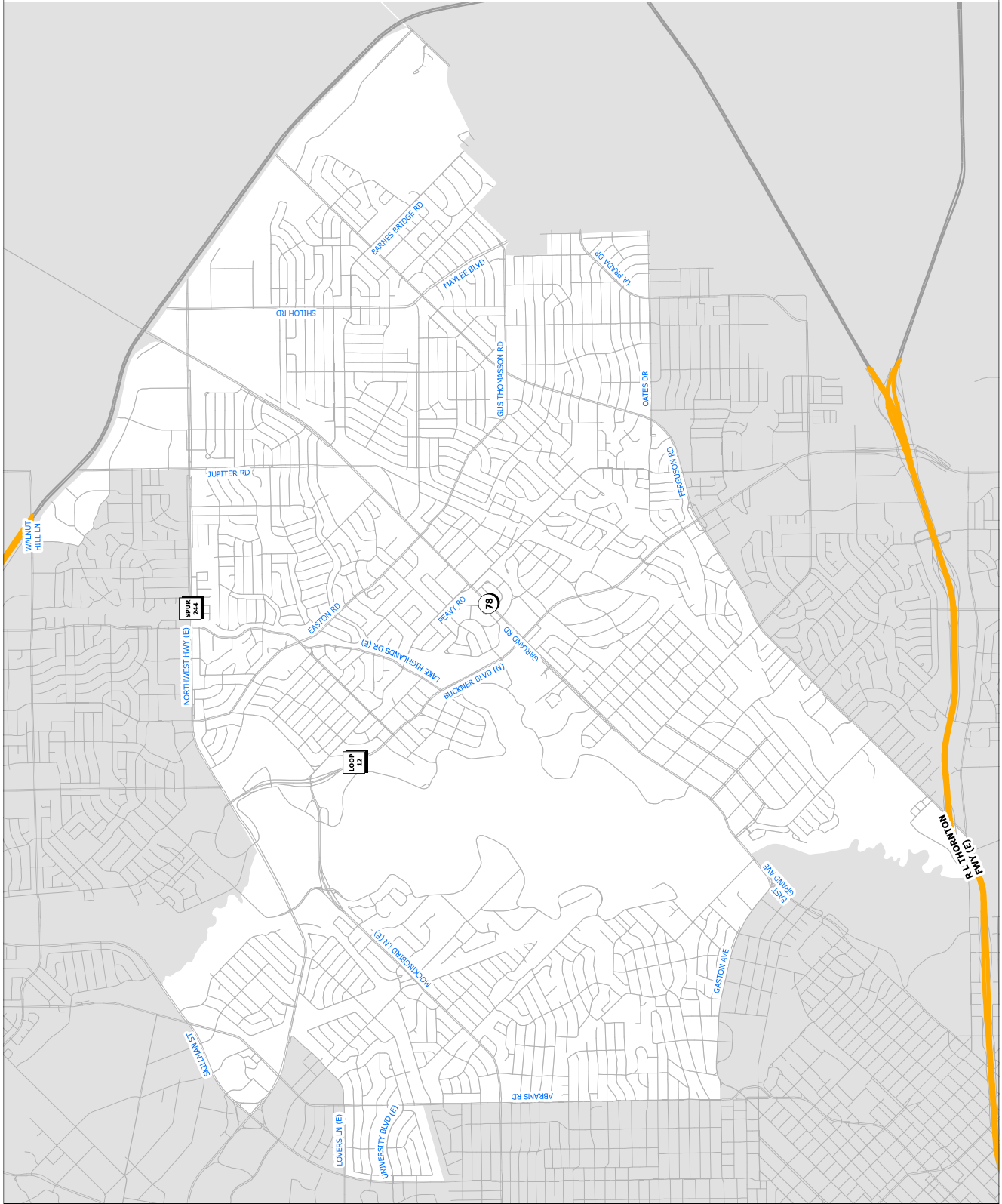


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TxDOT-East



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Public Works TxDOT Mowing Routes for Council District 10

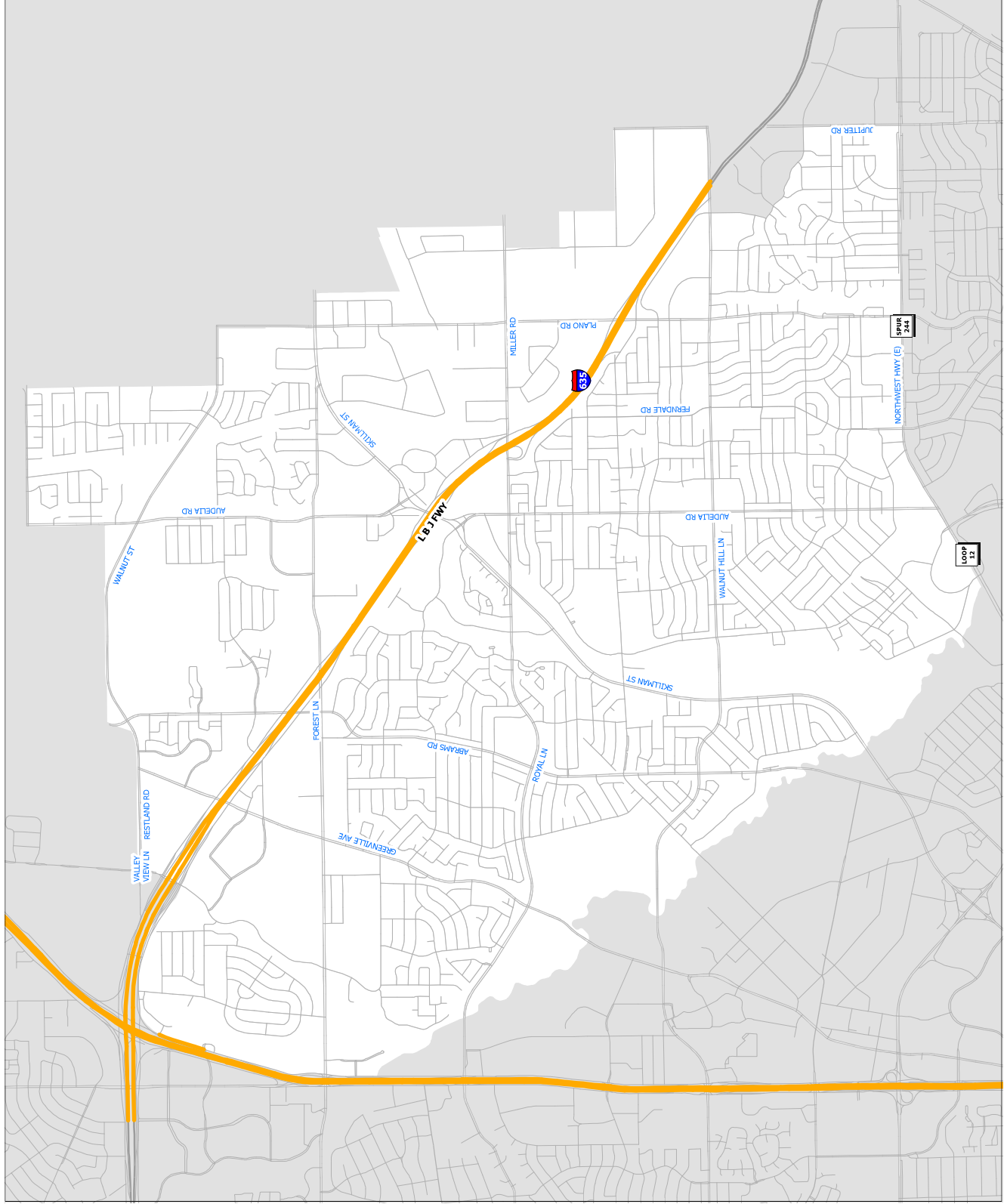


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Mow Group

TxDOT-East

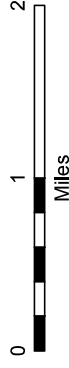


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Public Works TxDOT Mowing Routes for Council District 11

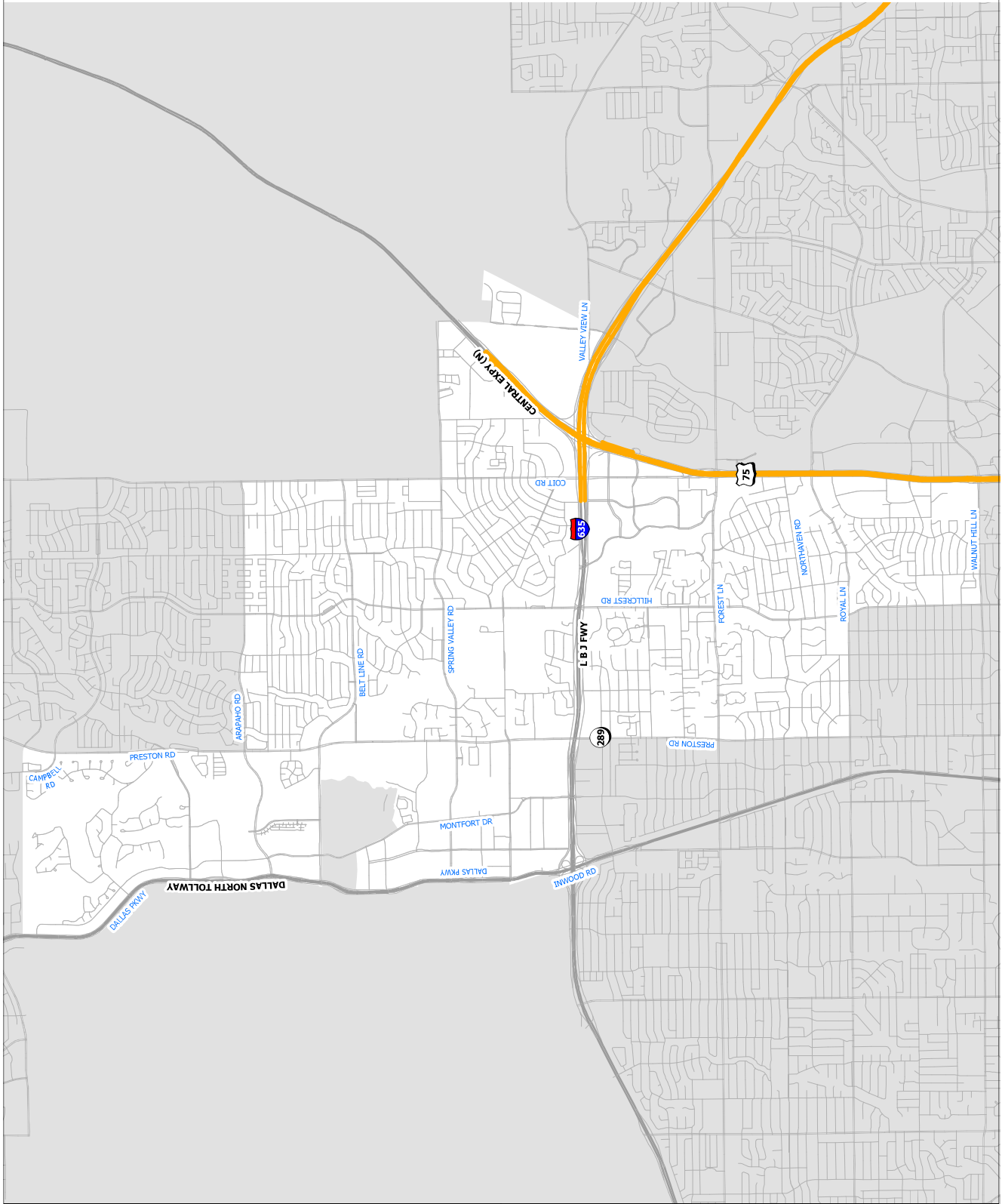


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Mow Group

TxDOT-East



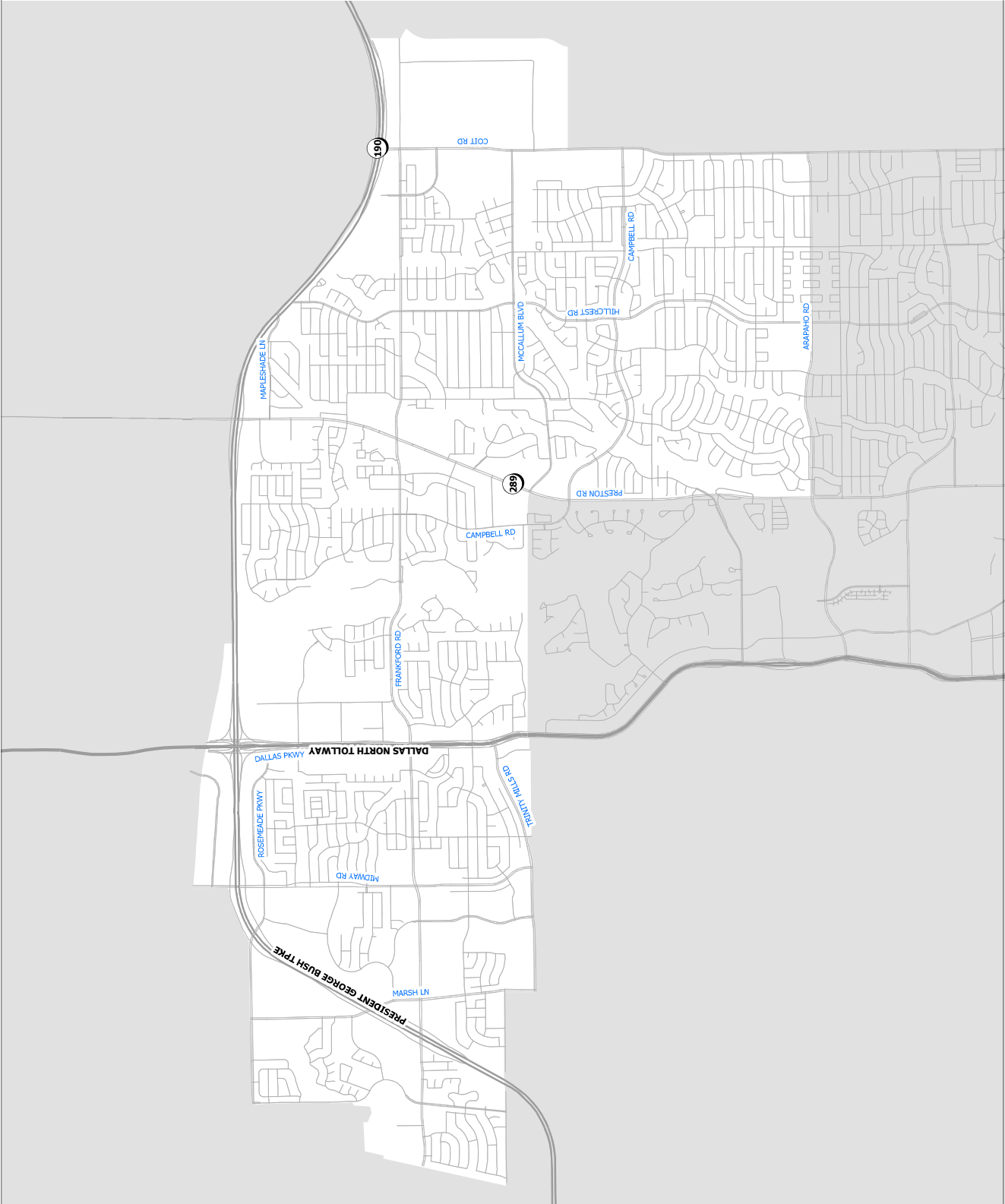


Public Works TxDOT Mowing Routes for Council District 12



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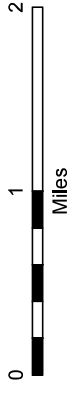


City of Dallas



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Public Works TxDOT Mowing Routes for Council District 13



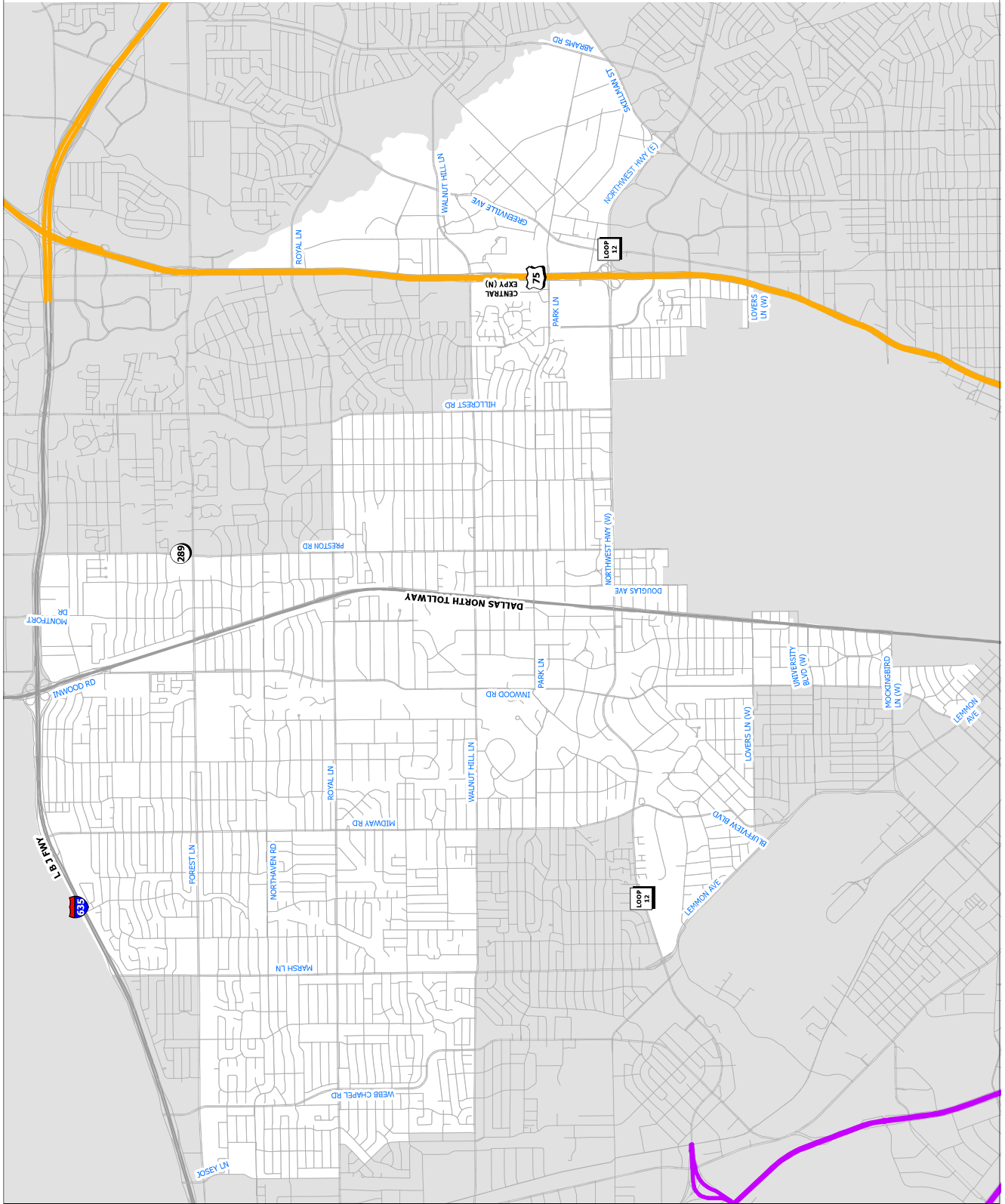
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TxDOT-East

TxDOT-West

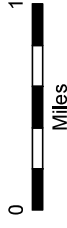


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Public Works TxDOT Mowing Routes for Council District 14



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Mow Group

TxDOT-East

TxDOT-West

