

**REQUEST FOR PROPOSALS**  
**FOR**  
**SHADED FUEL TREE TRIMMING AND REMOVAL SERVICE**



**Response Deadline**

**March 14, 2019**  
**12:00 PM Central Standard Time (CST)**

**To:**  
**Nora Dinsmore**  
**Brushy Creek MUD**  
**16318 Great Oaks Drive**  
**Round Rock, TX 78681**

**[n.dinsmore@bcmud.org](mailto:n.dinsmore@bcmud.org)**

# BRUSHY CREEK MUNICIPAL UTILITY DISTRICT

## REQUEST FOR PROPOSALS FOR SHADED FUEL TREE TRIMMING AND REMOVAL SERVICES

### 1. INTRODUCTION

Brushy Creek Municipal Utility District (the “*District*”) is accepting Proposals from qualified Contractors to provide shaded fuel tree trimming and removal services at various sites located within the District’s parks, greenbelts and other properties.

### 2. SCOPE OF SERVICES

#### 2.1. General

The District is seeking Proposals from qualified Contractors to provide tree and vegetation trimming, removal and disposal services at various sites located within the District (collectively, the “*Services*”). The Contractor is to provide all labor, equipment and process machinery required for the Services, which must be performed in accordance with the attached specifications.

**The District encourages Contractors who intend to submit a Proposal to attend a walk-through inspection of the various sites at which the Services are to be performed with the District’s Parks and Facilities Maintenance Coordinator, on Friday, February 22<sup>nd</sup> at 10 a.m. The site inspection will commence at 16318 Great Oaks Drive, Round Rock, TX.**

#### Conditions Qualifying Contractors

Each Contractor shall submit the following supporting data with its Proposal to demonstrate the qualifications of the Contractor:

- i. Satisfactory evidence that the Contractor, or in the case of a joint venture, the principal partner, has been in existence as a going concern in tree trimming, removal and haul off services for three years or longer;
- ii. Evidence that the Contractor is licensed or permitted to do business in the State of Texas, County of Williamson; and
- iii. Evidence of conformance with ANSI A300 standards for tree care operations and ANSI Z133 Safety Standards.

#### Observance of Laws

The Contractor that conducts the Services shall at all times shall observe and comply with all applicable Federal, State, County and Local laws, ordinances and regulations, including traffic laws in any manner affecting the conduct of the work.

#### Insurance Information

The selected Contractor shall at all times during performance of the Services maintain in full force and effect the insurance of the types and amounts set forth in the signed Agreement to be executed by the District and Contractor. The selected Contractor shall furnish evidence satisfactory to the District to the effect that such insurance has been procured and is in force, and the certificates shall name the District as an additional insured.

## Instructions to Contractor

This procurement is intended to result in the selection of a Contractor that is most advantageous to the District, and that will result in the best and most economical completion of the Services. Contractor must describe in detail how it will meet the requirements of this Request and provide the Services. Contractor may provide additional information with its Proposal relating to Contractor's experience and qualifications to provide the Services. The Proposal should be presented in a format that corresponds to, and references, the sections outlined in the Section 3.1 below. Responses to each section and subsection should be labeled to indicate the item that is being addressed. Proposals should be straightforward and concise.

The District is not liable for any costs or expenses incurred by Contractors in developing the Proposals, and such costs and expenses shall not be reimbursed in any manner by the District.

1. Acceptance Period: Unless otherwise specified herein, Proposals are firm for a period of 90-days and may not be withdrawn or modified during such period.
2. Authorized Signatures: Every Proposal must be signed by the person or persons legally authorized to bind the Contractor to a contract for the execution of the work. The name, address and telephone number of the firm represented must also be specified.
3. Award of Proposal: Award will be made to the Contractor offering the most advantageous Proposal after consideration of all Evaluation Criteria set forth within this Request. The criteria are not listed in any order of preference. The District will evaluate all Proposals received in accordance with the Evaluation Criteria listed in Section 3.6. The District shall not be obligated to accept the lowest priced Proposal but will make an award in the best interests of the District after all factors have been evaluated.
4. Cancellation of Solicitation: The District may cancel this solicitation at any time at no cost or expense to the District.
5. Compliance with Laws: All Proposals shall comply with current federal, state, and other laws relative thereto.
6. Documents to be returned with the Proposal: Failure to completely execute and submit required documents before the Submittal Deadline may render a Proposal to be deemed non-responsive. The documents that must be returned by the Submittal Deadline are listed in Section 3.1 Items to be Provided with Proposal Submittals.

### **2.2** Specifications - (Exhibit B)

Attached are the minimum specifications applicable the Services that must be met by the Contractor.

Contractors shall be responsible for providing the equipment and installation that meets or exceeds all of the requirements as set forth in the specifications.

### **2.3** Map site locations - (Exhibit C)

## **3. PROCEDURAL INSTRUCTIONS**

### **3.1.** Items to be Provided with Pricing Submittals:

All Proposal must include the following items:

1. Pricing- Contractor shall specify the pricing for the Services using price form (**Exhibit A**), to include materials, equipment and labor according to attached specifications with materials and labor broken down.

2. Safety Protocols – Contractor shall submit in writing the general safety protocols followed in conformance with ANSI A300 standards for tree care operations and ANSI Z133 Safety Standards.
3. Work Plan/Timeline- Contractor shall submit a project work plan and timeline outlining the project plans and the timeline of each step; including target completion date. Contractor must specify the project Supervisor’s contact information.
4. Questionnaire and Information Form – **(Exhibit D)**
5. Experience- Contractor must identify at least two examples of similar work to the Services that the Contractor is currently performing or has performed within the past 24 months.
6. Insurance- Contractor shall specify the types and amounts of insurance that it holds, which must exceed the minimum requirements set forth in the Agreement.
7. References- Contractor must identify three references, including the name, title, and daytime telephone number of the references.
8. Conflict of Interest Statement –Contractor shall submit their responses to the Conflict of Interest Statement in Section 5.0.

### 3.3 Questions

Questions regarding the tree removal services sought by the District **must be in writing via e-mail** to [n.dinsmore@bcmud.org](mailto:n.dinsmore@bcmud.org) no later than **12:00 PM (CST) Monday, March 4, 2019**. The subject line shall read: ***“Questions for District Shaded Fuel Tree Trimming and Removal Services.”*** Questions and answers will be compiled and posted on the District’s website as an addendum on **Tuesday, March 5, 2019**.

### 3.4. Timeline –

Request for Services package distributed to Contractors:  
**Thursday, February 7, 2019**

Site Visit to Various Locations to be serviced:

**Friday, February 22, 2019 at 10am**

**Meet at 16318 Great Oaks Drive**

Questions due from Contractors:

**Monday, March 4, 2019**

Responses due from Contractors:

**Thursday, March 14, 2019**

Staff Recommendation to Board of Directors:

**Thursday, March 28, 2019**

\*Estimated Implementation & Completion Date:

April - June 2019

### 3.5. Contractor Proposals

Proposals must conform to the requirements set forth in this Request. Proposals and required information must be submitted to the attention of:

Nora Dinsmore  
 Administrative Services Specialist  
 Brushy Creek Municipal Utility District  
 16318 Great Oaks Drive  
 Round Rock, TX 78681

by **12:00 PM (CST) on Thursday, March 14, 2019**. Any Proposals received after this date and time will not be considered.

All costs associated with the preparation and submissions of Proposals are the sole responsibility of the Contractor. All Proposals shall be signed and dated by an official authorized to bind the Contractor in legal matters. All submitted pricing Proposals become the property of the District.

### **3.6. Selection Process**

All Proposals will be evaluated by District staff. Staff recommendations will be submitted to the Board of Directors for consideration at a regularly scheduled meeting following the Proposal date deadline.

The criteria that will be used to make the selection include the following, in no particular order of preference:

- (a) Cost for Services;
- (b) Work plan/Timeline;
- (c) Safety Protocols;
- (d) Qualifications/Experience; and
- (e) Pre-bid Walk-Through Attendance

If the District has experience with a contractor that does not list the District as a reference, the District reserves the right to use past experience for evaluation of the Contractor's Proposal.

### **3.7 Rejection of Proposals**

The District reserves the right to reject any or all Proposals, or any part of a Proposal.

### **3.8 Confidential Information.**

The District is subject to the Texas Public Information Act. Any information submitted to the District by a Contractor shall be available to the public, unless it is clearly marked "CONFIDENTIAL". If another party requests access to information marked confidential, then the District shall ask the Contractor if the information may be released. If the release is agreed to, the District shall release the information. If the release is denied, the matter shall be referred to the Texas Attorney General's Office where the Contractor shall be responsible for substantiating its confidentiality. The Attorney General's office shall rule on the matter. Pricing information contained in Proposals or contracts is not considered confidential under the PIA and will be disclosed without making a request to the Texas Attorney General.

### **4.0 Agreement - (Exhibit E)**

Attached to this request is the form of the agreement to be entered into regarding the Services. The Agreement is a part of this Request, and is not subject to negotiation. Upon selection of a Contractor by the Board of Directors, the Contractor must execute the Agreement. Failure to do so may constitute cause for the District to reject a Proposal and enter into a contract with an alternative Contractor.

### **5.0 CONFLICT OF INTEREST**

The Board of Directors of the District, in compliance with Section 49.199 of the Texas Water Code, has adopted a Code of Ethics Policy and is subject to Chapter 176 of the Texas Local Government Code. In accordance with the District's policy and the statute, please disclose the following information:

1. Whether or not any of the Board of Directors or Management Staff listed below (or their family members) has a substantial interest in the Contractor or its affiliates.

2. Whether or not any of the Board of Directors or Management Staff listed below (or their respective family members) has a direct or indirect contractual relationship with the Contractor or its affiliates.
3. Whether or not the Contractor has made a gift to any of the Board of Directors or Management Staff listed below.

Furthermore, the Texas Legislature adopted House Bill 1295 which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. It shall be a condition of approval of a contract that Contractor complete and register a Form 1295 with the Texas Ethics Commission.

## **2019**

### **Board of Directors**

#### Brushy Creek Municipal Utility District

- Shean Dalton, Board President
- Donna B. Parker, Board Vice President
- Kim Filiatrault, Secretary
- Rebecca Tullos, Treasurer
- Michael Tucker, Assistant Secretary/Treasurer

### **District Staff**

- Amy Atkins, General Manager
- Mike Petter, Chief Financial Officer
- Rachel Hagan, Parks and Facilities Maintenance Coordinator
- Nora Dinsmore, Administrative Specialist Services