

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

APPROVING A CONTRACT WITH BURKETT ARBOR CARE, LLC, TO PROVIDE TREE PLANTING AND CARE SERVICES ALONG STREETS AND IN CITY PARKS, BEGINNING UPON AWARD AND ENDING MARCH 31, 2026, WITH TWO, ONE-YEAR RENEWAL OPTIONS, FOR AN ESTIMATED ANNUAL COST OF \$800,000.00, AND AN OVERALL TOTAL COST OF \$4 MILLION. FUNDING IN THE AMOUNT OF \$800,000.00 IS AVAILABLE IN THE TREE MITIGATION FUND FY 2023 ADOPTED BUDGET. FUNDING FOR SUBSEQUENT YEARS IS CONTINGENT UPON CITY COUNCIL APPROVAL OF THE ANNUAL BUDGET.

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WHEREAS, the City released a Request for Competitive Sealed Proposals (RFCSP) to provide the City of San Antonio with a contractor that will supply trees and manage the installation and care of trees in City parks, along roadways and on other property as directed by the City; and

WHEREAS, all trees installed will be specified and selected by City from an approved species list; and

WHEREAS, three proposals were received and evaluated; and

WHEREAS, staff recommends Burkett Arbor Care, LLC, for award of a contract based on the City's standard RFCSP evaluation process; and

WHEREAS, approval of this ordinance will authorize a contract beginning upon award and ending March 31, 2026, with the option for the City to renew for two additional, one-year periods, for an estimated annual cost of \$800,000.00, and an estimated total cost not to exceed \$4 million for the entire contract period including renewal options; and

WHEREAS, all expenditures will be in accordance with the applicable fiscal year's budget approved by City Council; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The proposal submitted by Burkett Arbor Care, LLC, to provide the City of San Antonio with tree planting and care services for an estimated annual cost of \$800,000.00, and an estimated total cost not to exceed \$4 million for the entire contract period, including renewal options, is hereby accepted, subject to and contingent upon the deposit of all required bonds,

performance deposits, insurance certificates and endorsements. A copy of the Score Summary and RFCSP is attached hereto and incorporated herein for all purposes as **Exhibit I**.

SECTION 2. Funds will be encumbered upon issuance of purchase orders, and payment is authorized to Burkett Arbor Care, LLC, for an estimated annual cost of \$800,000.00. Fifty thousand dollars is estimated to be spent for Fiscal Year 2023. All expenditures will be in accordance with the Fiscal Year 2023 budget and subsequent budgets that fall within the contract term.

SECTION 3. The financial allocations in this ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this ordinance.

SECTION 4. This ordinance is effective immediately upon passage by eight or more affirmative votes; otherwise, it is effective on the tenth day after passage.

PASSED and APPROVED this __ day of ____, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney