

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 DEC 16 PM 5:31

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: December 21, 2004

RE: A SUPPLEMENTAL REPORT (1) EXPLAINING THE REASON FOR A SOLE-SOURCE CONTRACT WITH DUKE'S ROOT CONTROL, INC., (2) PROVIDING A SURVEY OF COMPETITIVE LOCAL COMPANIES THAT OFFER SIMILAR SERVICES, AND (3) PROVIDING BACKUP INFORMATION ON THE CITY'S ROOT FOAMING PROGRAM.

BACKGROUND

At the December 14, 2004, Public Works Committee meeting, a question was raised concerning the reasons for requesting authorization to enter into a sole-source contract with Duke's Root Control, Inc., for root foaming selected City sanitary sewer lines in an amount not to exceed \$447,000. The Committee also requested more information on the City's root foaming program.

Root Foaming Program

Historically, the City used Angus Hot Rod to control root intrusion into the sanitary sewer. In 1996, the City discontinued use of this product because of its possible toxicity. It was subsequently banned for use in root control by the U.S. Environmental Protection Agency (US EPA). Since then, staff has investigated and tested various chemical root control agents to mitigate damage caused by tree root intrusion to the City's sanitary sewer system. Technological advances in herbicide development and application have provided chemical root control agents that are less toxic in aquatic environments while providing the same or improved efficacy. Staff has researched and determined that currently the most effective and least toxic agent for desiccating tree roots in sanitary sewers is diquat dibromide-based.

Diquat is listed with the US EPA as a category E compound. This classification is the most favorable rating attainable on the US EPA's chronic exposure toxicological rating scale. Diquat earned this rating as a result of extensive laboratory evidence that Diquat is not a carcinogen, teratogen, mutagen, oncogene.

Diquat dibromide is a nonselective, quick-acting herbicide and plant growth regulator, causing injury only to the parts of the plant to which it is applied. Diquat dibromide is referred to as a desiccant because it causes the applied area of a leaf or root to dry out quickly without damaging the host plant. It is used to desiccate potato vines and seed crops, to control flowering of

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sugarcane, and for industrial and aquatic weed control. It is not residual; that is, it does not leave any trace of herbicide on or in plants, soil, or water.

In 2001, the City entered into a pilot program to test the efficiency of using a diquat dibromide-based root control agent in 60,000 linear feet sanitary sewer lines. The pilot program demonstrated that Razorooter® II was extremely efficient in killing tree roots that had intruded into the sanitary sewer line without causing damage to the tree itself. Two years after application, an inspection revealed that root intrusion has not returned in the treated sewer lines.

Using a chemical desiccant to control roots mitigated City crews' exposure to the possible safety hazards of hiking into heavily vegetated areas on steep hillsides, canyons, and along creeks to locate sewer manholes, and manually cut tree roots by hand rodding. The pilot program also eliminated the need for crews to return every three months to re-cut roots by hand.

Sole-source Justification

Razorooter® II is the only diquat-based sewer root control product that is registered by the US EPA (EPA Registration No. 64898-8) and the California Department of Pesticide Regulation. Razorooter® II is a patented product of Sewer Sciences, Inc.

Currently, Duke's Root Control, Inc. is the only commercial applicator licensed by Sewer Services, Inc. to apply Razorooter® II in California. Duke's is registered with the California Department of Pesticide Regulation, and Duke's field personnel are State of California certified pesticide applicators. Therefore, while performing any work for Oakland, Duke's will maintain a highly trained, certified pesticide applicator on site at all times.

All of Duke's work is backed by a two-year, money-back guarantee against stoppages and live roots. Duke's Root Control, Inc. maintains \$5,000,000 in pollution liability coverage and \$10,000,000 in general liability coverage.

In the performance of this contract, the City will be working with Duke's Northern California representative, based in Castro Valley.

Competitive Local Companies

Duke's Root Control, Inc. is the only known company that provides the patented application of Razorooter® II, a diquat diromade-based herbicide.

RECOMMENDATION AND RATIONALE

Root foaming is the most effective method of controlling root intrusion in the sanitary sewer in heavily vegetated areas. Controlling root intrusion will reduce the number of sanitary sewer backups and overflows, and can reduce the number and cost of claims against the City for damage caused to private property because of sanitary sewer overflows.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that Council accept the supplemental report and requests that the City Council approve the resolution authorizing the City Administrator to negotiate and execute a contract with Duke's Root Control, Inc. in the amount not to exceed \$447,000 to root foam sewer lines for the period of January 2005 to December 2006.

Respectfully submitted,



RAUL GODINEZ II, P.E.
Director, Public Works Agency

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APPROVED AND FORWARDED TO THE
CITY COUNCIL:



OFFICE OF THE CITY ADMINISTRATOR