

# CITY OF OAKLAND

## AGENDA REPORT

OFFICE OF THE CITY CLERK  
OAKLAND

2004 DEC -1 PM 2: 59

**TO:** Office of the City Administrator  
**ATTN:** Deborah Edgerly  
**FROM:** Public Works Agency  
**DATE:** December 14, 2004

**RE:** RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A CONTRACT WITH DUKE'S ROOT CONTROL, INC. IN AN AMOUNT NOT TO EXCEED \$447,000 TO ROOT FOAM SEWER LINES FOR THE PERIOD OF JANUARY 2005 TO DECEMBER 2006

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### SUMMARY

A resolution has been prepared authorizing the City Administrator, or her designee, to negotiate and execute a sole source contract with Duke's Root Control, Inc. for the City's Sanitary Sewer Root Foaming Program for an amount not to exceed \$447,000.

This program continues our Root Foaming Program, which is intended to prevent the need for major repairs to sewer lines that are damaged by tree roots. A continuous root foaming program will aid the City's efforts to reduce the sanitary sewer overflows, as well as worker's compensation claims, due to injuries resulting from tree root removal. Staff is requesting approval to execute a sole source root foaming contract for a two-year period beginning January 2005 to December 2006 to continue the City's Root Foaming Program. Duke's Root Control, Inc. has exclusive rights to use Razeroooter II (Diquat) for root foaming applications.

This project is consistent with the Mayor and City Council Goals to Maintain and Enhance Oakland's Physical Assets.

### FISCAL IMPACT

The proposed resolution authorizes execution of a contract with Duke's Root Control, Inc., for an amount not to exceed \$447,000, to provide root foaming services in sanitary sewer lines for a period of two years, from FY 2004-05 through FY 2005-06. Funding for FY 2004-05 is available in Fund 3100 (Sewer Service Fund), Project P188420, Account 54919 (\$223,000). Funding for FY 2005-06 is available in Fund 3100, Project P188430, Account 54919 (\$224,000).

The three percent assessment for Contract Compliance has been set aside in the appropriate account. This project is not eligible for the Public Art assessment.

Item: \_\_\_\_\_  
Public Works Committee  
December 14, 2004

## **BACKGROUND**

The City has approximately 300,000 feet of sanitary sewer lines throughout Oakland that are located in easements where access is limited, and where there are many trees. These lines are highly susceptible to root intrusion, which causes blockages and can lead to sanitary sewer overflows if left untreated. The traditional method of removing roots requires hand rodding with a hole saw to cut off the roots in the pipe. To accomplish this work, maintenance crews must hike into heavily vegetated areas on steep hillsides, canyons, and along creeks to locate sewer manholes. These conditions create a safety hazard for employees because they are exposed to insect bites, poison oak, and bodily injury. In addition, some manholes are not accessible due to the overgrowth and rough terrain. Inside the manhole, hand rodding is performed to cut roots that have entered into the sanitary sewer line. In order to minimize sewer overflows and damage to sanitary sewer lines, hand rodding must be performed every three months. Simply cutting roots encourages faster growth and is therefore ineffective. The number of lines susceptible to root intrusion in Oakland makes it difficult to maintain this schedule.

Tree root intrusion accelerates sewer line deterioration, which results in more lines that need to be replaced before their scheduled time. The life expectancy of a sewer line containing tree roots is reduced from approximately 50 years to 20 years. This creates the need to replace pipes at a significantly greater cost.

Staff proposed to City Council in 2001 a Root Foaming Program to prevent sewer overflows and the need for major repairs to sewer lines that are damaged by tree roots. On May 25, 2001, the Public Works Committee accepted the proposal, and on May 29, 2001, the City Council approved the proposal and Resolution No. 76465 to implement a Root Foaming Program.

The Root Foaming Program entails the application of root control agents that kill root growth and inhibit root re-growth without permanently damaging the vegetation producing the roots. Root foaming is guaranteed to keep roots out of the treated sanitary sewer lines for a period of two years.

On September 25, 2001, Council approved Resolution No. 76729 authorizing staff to negotiate and execute a sole source contract with Duke's Root Control, Inc. for one year for a not to exceed amount of \$100,000 to root foam sewer lines infested with tree roots using Razorooter II (Diquat). Staff then negotiated and entered into a contract with Duke's Root Control, Inc. to provide root foaming services from October 2001 to October 2002. In 2002, root foam was applied to approximately 60,000 linear feet of sewer line. A recent close circuit TV inspection confirmed that the lines are free of roots.

Duke's Root Control, Inc. is an insured, fully licensed pesticide application company and is certified to apply EPA registered root control products with state environmental regulatory agencies. Duke's Root Control, Inc. is based in Syracuse, New York and is not a certified Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE).

Item: \_\_\_\_\_  
Public Works Committee  
December 14, 2004

## KEY ISSUES AND IMPACTS

Intrusion of tree roots into sanitary sewer lines causes accelerated deterioration of sewer lines, leading to sewer blockages and overflows. These overflows impact water quality, aquatic life, and public safety and cause damage to private and public properties. In most overflow cases, the City finds that the sewer line was plugged with tree roots.

The City's Root Foaming Program will make a significant improvement to sewer line maintenance. The City has not experienced any blockages or backups in the 60,000 feet of sewer lines treated since 2002. The active ingredient Diquat used in root foaming has proven to be an environmentally safe, cost effective, and reasonable alternative to constant root cutting. The ingredient is used to dry out roots and kill them rapidly to prevent translocation to other parts of the tree. The ingredient will not spread and infect other plant materials. Diquat is acceptable to East Bay Municipal Utility District and the City's Integrated Pest Management Program.

## PROGRAM DESCRIPTION

Our objective is to reduce the number of sewer overflows related to tree root intrusion, and establish a two-year treatment cycle. Under this contract, approximately 300,000 feet of sewer lines will be treated and guaranteed for two years. The Contractor will only apply root foaming to sewer lines selected by the City. The majority of the sewer lines are located in the Oakland hills where access is limited for equipment/staff. Root foaming is applied directly to the roots in the sanitary sewer line via a hose that extends throughout the entire length of each sewer section. The foam will be applied evenly and uniformly, so as to completely fill the sewer pipe. The quantity of foam will be sufficient to completely fill the entire volume of the main line sewer plus an additional 10% to allow for the penetration of material five feet up connecting lateral sewers, and the loss of material in manholes. The root foaming application period will begin in January 2005 and end in December 2006.

For each section of sewer line treated under the contract, the contractor must guarantee the work as follows: at the option of the City, the Contractor, at his own expense, will re-treat a section, or refund 100% of the payment received to treat that section, in the event that (1) live roots are found in the section within six months after the application; or, (2) the section plugs up and floods due to tree root obstructions within a period of two years, beginning on the date of treatment and ending two years after the date of treatment.

The Contractor will assist in the evaluation of the root control application. Records kept will indicate the date of treatment, the section(s) of lines treated, pipe size and distance, and other pertinent information.

The Contractor will comply with the policies and procedures set forth in the City of Oakland Integrated Pest Management Program.

Item: \_\_\_\_\_  
Public Works Committee  
December 14, 2004

## **SUSTAINABLE OPPORTUNITIES**

Economic: Maintenance of Oakland’s physical assets sustains the economic vitality of neighborhoods throughout Oakland.

Environmental: The program will help improve water quality in the Bay and connecting waterways, and extend the life expectancy of the City’s sanitary sewer system.

Equity: This program will provide relief to sewer lines in all areas throughout the City that are plagued with root intrusion and experience backups.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

All work will be performed underground; therefore, will not impact disability and senior citizen access.

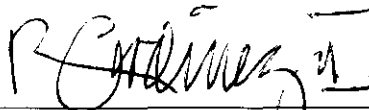
## **RECOMMENDATIONS AND RATIONALE**

The Root Foaming Program is needed to reduce the number of sewage overflow and backups caused by root intrusion into sewer lines. Duke’s Root Control, Inc. has exclusive rights to use Razoroooter II (Diquat), with a two-year guarantee. Root foaming application has resulted in a reduction of sewer backups, worker’s compensation claims, and damage to private and public properties.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff 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

Reviewed by:  
Bruce Saunders  
Interim Assistant Director  
Department of Infrastructure & Operations

Prepared by:  
Drew Winsor  
Operations Manager  
Infrastructure Maintenance Division

APPROVED AND FORWARDED TO THE  
PUBLIC WORKS COMMITTEE:



**OFFICE OF THE CITY ADMINISTRATOR**

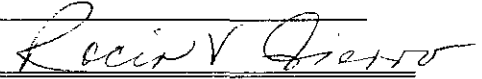
Item: \_\_\_\_\_  
Public Works Committee  
December 14, 2004

OAKLAND CITY COUNCIL

OFFICE OF THE CITY CLERK  
OAKLAND

RESOLUTION NO. \_\_\_\_\_ 2004 DEC -1 PM 2:59  
C.M.S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_



**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A CONTRACT WITH DUKE'S ROOT CONTROL, INC. IN AN AMOUNT NOT TO EXCEED \$447,000 TO ROOT FOAM SEWER LINES FOR THE PERIOD OF JANUARY 2005 TO DECEMBER 2006**

**WHEREAS**, it is in the best interest of the City to implement a root foaming program to reduce the amount of sewer overflows that damage public and private property and contaminate creeks, lakes, and other waterways; and

**WHEREAS**, a root foaming program will reduce the number of sewer claims for damage to private property; and

**WHEREAS**, Diquat is the active ingredient in root foaming and environmentally safe and registered with the EPA and Department of Pesticide Regulation; and

**WHEREAS**, Duke's Root Control, Inc. is licensed with the California Department of Pesticide Regulation; and

**WHEREAS**, Duke's Root Control, Inc. will comply with the policies and procedures set forth in the City's Integrated Pest Management Program; and

**WHEREAS**, a sole source contract will be executed with Duke's Root Control, Inc. who has exclusive rights to use Razorooter II (Diquat) for root foaming applications; and

**WHEREAS**, \$223,000 is available in the Sewer Service Fund (Fund 3100, Account 54919, Program IN03) in project P188420 and \$224,000 is available in the Sewer Service Fund (Fund 3100, Account 54919, Program IN03) in project P188430; and

**WHEREAS**, the City Council finds that this contract is for services of a professional, scientific, or technical nature and that the performance of services under this contract is in the public interest because of safety and economy; and

**WHEREAS**, the City Council finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED**, that the City Council authorizes the City Administrator or her designee to negotiate and execute a contract with Duke's Root Control, Inc. in an amount not to exceed \$447,000 to root foam sewer lines; and be it

**FURTHER RESOLVED**, that the City Council hereby authorizes the City Administrator or her designee to take whatever steps may be necessary to effect said contract, including without limitation, payment requests, execution of agreements and amendments, except for any increases in price; and be it

**FURTHER RESOLVED**, that the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

**FURTHER RESOLVED**, that the contract is for two years for the period of January 2005 to December 2006; and be it

**FURTHER RESOLVED**, that all root foaming of sewer lines is guaranteed for two years from date of application; and

**FURTHER RESOLVED**, that this resolution has been approved by the Office of the City Attorney as to form and legality and a copy is on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_ 2004

**PASSED BY THE FOLLOWING VOTE:**

AYES—BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE

NOES—

ABSENT—

ABSTENTION—

ATTEST: \_\_\_\_\_

CEDA FLOYD  
City Clerk and Clerk of the Council  
Of the City of Oakland, California