



MEMORANDUM

TO: Mayor and Council

FROM: James Scarboro, Purchasing Officer *JS*

DATE: June 21, 2017

SUBJECT: Item 31, Energized Transmission Line Clearance

The purpose of this memo is to provide additional backup information on Item 31, on the June 22, 2017 Council Agenda, to authorize a contract for Energized Transmission Line Clearance for Austin Energy. This item was originally brought to Council on May 18, 2017. This item and a related item for Energized Distribution Line Clearance, were pulled for speakers. Although all of the public comments were directed at the Distribution Line Clearance item, both items were postponed in order to allow staff to review concerns raised by speakers.

Staff has completed its review of the concerns raised at the May 18, 2017 meeting, and determined that only one of the concerns applied to the Transmission Line Clearance item appearing on this week's Council agenda. Although there was no "English only document" as suggested by speakers, the Transmission Line Clearance solicitation did include a requirement that a supervisory staff member be able to communicate in English. This requirement, as it is stated in the solicitation and within context, is as follows.

- iv. Working Foreman B - (Foreman trainee), Contractor written certification verifying all requirements are met and Owner's written acceptance.
 - a. 18 months of experience as a tree trimmer, and/or Owner and Contractor written approval.
 - b. Meets all conditions and abilities required in subordinate positions.
 - c. Speaks English and able to read and write in English and able to communicate with customers and Owner personnel concerning work.
 - d. Able to read a map and route crew(s) to work site in most efficient manner.
 - e. Familiar with all Contractor and Owner reporting procedures and able to take over a crew in an emergency.

The intent of the requirement is to ensure that there is effective communication between the contractor, the customers of Austin Energy and the System Control Center. Austin Energy requires that the contractor's supervisory representative be able to speak English in order to communicate with customers about planned work and with Austin Energy's System Control Center which is responsible for safely controlling energized circuits. This requirement is also needed to read and interpret Vegetation Work Plans (plans that document the work to be performed on each customer's property.)

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Purchasing has reviewed this requirement with Austin Energy and while we both acknowledge the operational need for certain positions under this contract to be able to effectively communicate, staff also acknowledge that this requirement would have been equally effective if worded in a manner that did not lend itself to unintended interpretations. Purchasing will endeavor to work with Austin Energy and all of our customer departments to ensure that future solicitation requirements are more clearly and intentionally stated.

Although the wording of this requirement could be improved, the requirement is functionally related to the operational needs of Austin Energy. Further, Purchasing staff reviewed the evaluations and do not see that any offerors were negatively impacted by this requirement. As this was the only concern that applied to the Transmission Line Clearance item, staff now presents this item for Council's consideration and authorization. Staff will issue a subsequent memo on the Distribution Line Clearance item and will bring that item for Council consideration in August.

Feel free to contact me if you have any questions.

CC: Elaine Hart, Interim City Manager
Jackie Sargent, Austin Energy General Manager
Greg Canally, Interim Chief Financial Officer
Chris Weema, Assistant City Attorney II