



CITY AUDITOR'S OFFICE

TO: Councilmember Sheppard

FROM: Andrea R. Russell, City Auditor *ark*

DATE: September 15, 2021

SUBJECT: Median Maintenance Review

Councilmember Sheppard requested that the City Auditor's Office perform a review of the City's oversight of its contractor performed median maintenance. This review was conducted as a Non-Audit Service and therefore can't be considered an audit and is not subject to the same requirements as an audit performed in accordance with Generally Accepted Government Auditing Standards (GAGAS).

We completed this engagement as a non-audit service using agreed upon procedures. The review did not constitute an audit performed in compliance with GAGAS. Although this work does not constitute an audit, it was performed in compliance with GAGAS, as they relate to non-audit services.

The Public Works Department (Public Works) is solely responsible for the administration of the vendor contracts, as well as monitoring of vendor compliance with contract terms, and understood their responsibilities and the work that we performed as part of this review.

Background

The City has approximately 1,800 medians. Medians are maintained by either City public works crews, lot mowing only contractors, or one of two landscape maintenance contractors: Superior Landscaping (Superior) and John Fideli Landscaping (Fideli). The two landscape maintenance vendors were selected based on the City's competitive bid process. The City and lot mowing only contractors maintain 1,400 medians. The remaining 400 medians are maintained by the median landscape maintenance contractors (Fideli and Superior). The Invitation to Bid (ITB) contains what specific areas are to be maintained; scope of work; and specifications for work to be performed. As part of the specifications, the contractors perform the following:

- Mowing
- Edging
- Weed Control
- Fertilization (specs include schedule) for turf, ornamental beds, trees, and palms
- Pest Control (specs include schedule)

- Trimming and pruning
- Re-mulching
- Tree and palm maintenance (separate sections for trees and palms)
- Irrigation operation, maintenance, and repairs
- Plant Replacements
- Trash pick-up

The ITB also contains general service requirements; maintenance of traffic requirements for when lanes are closed or restricted for work; and miscellaneous maintenance responsibilities. Based on the specifications, the contractors are required to provide certain items such as schedules for fertilization and wet checks to the project manager.

The vendor median maintenance program is overseen by Transportation Maintenance Manager, Bill Corbett and managed by Engineer, Tessa Heines. One individual in the field performs inspections of the medians. Damage or needs for repair/replacement can be communicated verbally on site and via email or phone between the City Inspectors and the contractor. Medians adhere to city watering schedule (two-day watering) unless the City issues reduced watering days, then irrigation is reduced to a single run day. Superior and Fideli submit monthly wet check reports to Public Works where irrigation function as well as any issues are documented for the medians. (Note: In general, regular irrigation operations end earlier than allowed end times. For example, median sprinklers shut off earlier than the allowed 8 a.m. shut off, at 6 a.m., due to resident complaints about vehicles passing by, getting wet.)

Median Damage by vehicles

Based on reporting received from the Risk Management Division (Risk), for FY20, the City submitted \$22,756 to insurance companies for reimbursement and received a total of \$17,276 in reimbursement. While CCPD's primary focus at an accident scene is citizens, injuries, and traffic control, it is standard procedure to note significant damage to median property. Information for damage incurred from a traffic accident is reported to Risk for reimbursement from insurance or individuals. If an accident occurs where there is damage to a median, the CCPD officer records general statements concerning property damage on the accident report. The accident reports are forwarded to an individual in Risk within a day or two of the date of loss. Risk compiles and submits a request for reimbursement with information about the damage and estimates from Public Works to the insurance company for reimbursement to the City. The vendor who provides repairs or replacement is determined by the median location in accordance with assigned areas from the contracts. Reimbursement checks are received in Risk and forwarded to the Finance Cashier for processing.

Median Design

There are four types of approved median landscapes, tropical, hybrid, shade, and xeriscape. The plans include types of vegetation as well as potential placement of vegetation. All plans were designed by professional landscape architects contracted by the City. Some residents in certain areas have taken over the maintenance and even planting of certain trees and vegetation on medians; however, it is important to note plants

that may thrive in a residence's front yard may not survive when planted on a median. There are also certain FDOT traffic safety features that must be followed. For example, trees with a circumference of greater than 18" pose a line-of-sight safety issue. Some medians that are older and have more established vegetation tend to have trees that do not conform to current FDOT safety standards. Trees damaged or lost on such medians will be replaced with more compliant growth. It is the policy of the City to remove such trees only if they pose an immediate hazard and/or safety concern to the traveling public or maintenance crews.

Environmental challenges

Medians located on a main road with a lot of traffic can provide a harsh environment for vegetation and trees, which can explain why the medians located in a quieter neighborhood with less traffic can appear lusher. Trash, road debris, extreme heat, and insufficient watering/drought¹ contribute to the harsh conditions. In addition, damage to medians can occur from traffic accidents, intentional or unintentional damage. Planting during dry season with limited water and harsh conditions could lead to replacement plants or trees also dying.¹ It is important to note that the maintenance contracts state that trees/vegetation are to be replaced within 15 days; however, due to certain weather conditions, such as drought or storms, sometimes this is not feasible².

Objective

The objective of this review was to evaluate the Public Works Department oversight of the median maintenance program performed by external contractors.

Scope and Methodology

We determined the scope for the review would be FY19 through July 31, 2021 for invoices and Risk documentation as well as the process in place for the two vendors, (Superior and Fideli), for the preceding six months. We reviewed individual contracts to determine vendor and Public Works responsibilities. We conducted walkthroughs and discussions with the vendors, Public Works and Risk staff. We also reviewed select invoices and Risk documentation for scope of the review.

Results

Based on our review of wet check reports, select invoices and support from Fideli and Superior, it appears that the Public Works is providing proper oversight of the vendors to ensure compliance with contract terms.

We also reviewed the process for referring median damage to Risk for appropriate reimbursement. We noted two claims were not forwarded by Risk to the insurance company until several months after the date of loss. The delay appeared to be in receiving

¹ Adherence to a modified watering schedule delivers approx. ¼" to ½" of water based on a typical 30-minute irrigation cycle. This results in augmenting natural rains with approx. ½" to 1" of water per week. The irrigation while augmenting natural rains, cannot prevent natural water loss through evapotranspiration. During typical drought periods plant material can experience water loss of approximately ¼" per day (nearly 1 ¾" per week loss).

² This stipulation has been adjusted in the ITB currently in process, at the date of this memo, to include "at the Project Manager's discretion."

estimates for repairs or replacement for damages incurred from Public Works. Estimates are included in the supporting documentation attached to information forwarded by Risk to the companies. It is important to note that both claims were paid in full.

Overall Conclusion

Public Works administration and oversight of the median maintenance vendor program is appropriate. Based on our review no further work is required at this time.

C: Audit Committee

Mayor Gunter and Council Members

Rob Hernandez, City Manager

Kris DuFault, Professional Compliance Officer

Paul Clinghan, Public Works Director