

# Mayor and Council Communication

**DATE:** 10/31/23

**M&C FILE NUMBER:** M&C 23-0922

**LOG NAME:** 13P ITB 23-0079 PVC SEWER FITTINGS HO WATER

## **SUBJECT**

(ALL) Authorize Execution of Agreements with Core & Main LP and Ferguson Enterprises, LLC for PVC Sewer Fittings for the Water Department in a Combined Annual Amount Up to \$150,000.00 and Authorize Four, One-Year Renewals in an Amount Up to \$165,000.00 for the First Renewal, \$181,500.00 for the Second Renewal, \$199,650.00 for the Third Renewal, and \$219,615.00 for the Fourth Renewal

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## **RECOMMENDATION:**

It is recommended that the City Council authorize execution of agreements with Core & Main LP and Ferguson Enterprises, LLC for PVC sewer fittings for the Water Department in a combined annual amount up to \$150,000.00 and authorize four, one-year renewals in an amount up to \$165,000.00 for the first renewal, \$181,500.00 for the second renewal, \$199,650.00 for the third renewal, and \$219,615.00 for the fourth renewal.

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## **DISCUSSION:**

The Water Department approached the Purchasing Division for assistance with securing an agreement for PVC sewer fittings on an as-needed basis. Under the proposed agreements, the vendors will provide PVC sewer fittings for repairs on sewer lines throughout the City of Fort Worth. Purchasing issued an Invitation to Bid (ITB) that consisted of detailed specifications regarding the product dimensions, the American Society for Testing and Materials (ASTM) standards the products must meet, and delivery procedures.

The ITB was advertised in the *Fort Worth Star-Telegram* on July 5, 2023, July 12, 2023, July 19, 2023, and July 26, 2023. The City received four responses.

Staff evaluated the bid responses based on the lowest responsible bidder criteria and recommends awarding non-exclusive agreements to Core & Main LP and Ferguson Enterprises, LLC with four, additional one-year renewals. No guarantee was made that a specific amount of items will be purchased.

Due to inflation and supply chain concerns, staff recommends the total compensation for each annual renewal term be increased by 10% to ensure the City is able to meet demand. The total compensation for the initial term of the contracts shall be an amount up to \$165,000.00 for the first renewal, \$181,500.00 for the second renewal, \$199,650.00 for the third renewal, and \$219,615.00 for the fourth renewal

**FUNDING:** The maximum amount allowed under this agreement for the initial term will be \$150,000.00; however, the actual amount used will be based on the need of the department and the available budget.

Funding is budgeted in the Water Department's Operating Funds, as appropriated.

**DVIN-BE:** A waiver of the goal for Business Equity subcontracting requirements was requested and approved by the DVIN, in accordance with the Ordinance, because the purchase of goods or services is from sources where subcontracting or supplier opportunities are negligible.

**AGREEMENT TERMS:** Upon City Council approval, this agreement shall begin upon Mayor and City Council approval and expire on September 30, 2024.

**RENEWAL TERMS:** This agreement may be renewed for four additional, one-year terms at the amounts authorized through this Mayor & Council Communication. This action does not require specific City Council approval provided that the City Council has appropriated sufficient funds to satisfy the City's obligations during the renewal term.

**ADMINISTRATIVE CHANGE ORDER:** An administrative change order or increase may be made by the City Manager up to the amount allowed by relevant law and the Fort Worth City Code and does not require specific City Council approval as long as sufficient funds have been appropriated.

A Form 1295 is not required because: This contract will be with a publicly-traded business entity or a wholly-owned subsidiary of a publicly-traded business entity: Core & Main LP, and Ferguson Enterprises, LLC

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## **FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the recommendation, funds are available in the current operating budget, as previously appropriated, in the Water & Sewer Fund. Prior to an expenditure being incurred, the Water Department has the responsibility to validate the availability of funds.

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