

# Mayor and Council Communication

DATE: 08/25/20

M&C FILE NUMBER: M&C 20-0580

LOG NAME: 13P20-0138 BULK DISPOSAL AND MATERIAL SC WATER

## **SUBJECT**

(ALL) Ratify Expenditures of \$20,000.00 and Authorize Service Agreement with Silver Creek Materials, Inc., for Disposal of Spoil Material and Purchase of Bulk Material for an Annual Amount Up to \$500,000.00 and Authorize Four One-Year Renewal Options for the Water Department

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## **RECOMMENDATION:**

It is recommended that the City Council:

1. Ratify expenditures of \$20,000.00 incurred by the Water Department for bulk disposal and materials; and
2. Authorize a service agreement with Silver Creek Materials, Inc. for disposal of spoil material and purchase of bulk material for an annual amount up to \$500,000.00 and authorize four one-year renewal options for the Water Department.

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## **DISCUSSION:**

The Water Department approached the Purchasing Division to procure services that will dispose of bulk spoil materials such as soil, concrete and asphalt from excavation and cleanup of water and wastewater projects. The agreement also includes the purchase of bulk materials, including top soil, limestone and backfill, from the same company in order to fill water or wastewater trenches and other excavations necessary for projects throughout the City of Fort Worth (City).

The previous Mayor and Council Communication (M&C P-12096) for Invitation to Bid (ITB) 17-0373 was approved on September 12, 2017 and authorized an annual authority of \$200,000.00 with Silver Creek Materials, Inc. The amount was then amended under M&C 19-0066 and approved on August 20, 2019 for a new annual amount of \$312,000.00. Following this approval, services and materials for the Water Department has increased. Staff requests that Council ratify expenditures in the amount of \$20,000.00. Payments made to Silver Creek Materials, Inc., after October 1, 2020 will be counted against the first's year's authorized spending authority approved through this M&C.

An ITB was advertised in the *Fort Worth Star-Telegram* on June 3, 2020, June 10, 2020 and June 17, 2020. The evaluation factors consisted of quality of the bidders' goods and ability to meet material requirements, reputation of the bidder in the marketplace and their ability to meet guidelines set forth in the specifications, availability of the contractor's location and services and total cost of goods and services. Nine vendors were solicited from the purchasing vendor database system; one response was received. The proposals were reviewed by an evaluation committee consisting of staff from the Water Department.

A waiver of the goal for MBE/SBE subcontracting requirements was requested by the Purchasing Division and approved by the M/WBE Office, in accordance with the BDE ordinance, because the purchase of goods or services is from sources where subcontracting or supplier opportunities are negligible.

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.

Upon City Council's approval, the contract will begin upon complete execution and expire one year from executed date.

This contract may be renewed for up to four successive one-year periods under the same terms and conditions. Staff anticipates that the costs for renewal years shall remain approximately the same as the first year. The renewals will not require City Council approval provided that the City Council has appropriated sufficient funds to satisfy the City's obligations during the renewal term.

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## **FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the recommendations, 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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