

# Mayor and Council Communication

**DATE:** 05/18/21

**M&C FILE NUMBER:** M&C 21-0355

**LOG NAME:** 60IDEXX LABORATORY CONSUMABLES

**SUBJECT**

(ALL) Authorize An Agreement with IDEXX Distribution, Inc., a Wholly-Owned Subsidiary of IDEXX Laboratories, Inc. to Provide Microbiological Supplies for the Water Department in the Annual Amount of \$180,000.00

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**RECOMMENDATION:**

It is recommended that the City Council authorize an agreement with IDEXX Distribution, Inc., a wholly-owned subsidiary of IDEXX Laboratories, Inc. to provide microbiological supplies for the Water Department in the annual amount of \$180,000.00.

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**DISCUSSION:**

The Water Department Laboratory Services Division will utilize the agreement to purchase microbiological supplies necessary to test for E-Coli, total coliforms and legionella in the public water supply. The Texas Commission on Environmental Quality (TCEQ) requires a minimum of 270 samples be tested each month to meet regulatory requirements. The Water Department Laboratory Services Division is certified by TCEQ's National Environmental Laboratory Accreditation Program (NELAP) for analysis by the MMO-MUG (Colilert) Test, Standard Method 9223 of the TCEQ. IDEXX Distribution, Inc. is the documented sole supplier and distributor of the Colilert test supplies.

No guarantee was made that a specific amount of goods will be purchased. The Water Department Laboratory Services Division anticipates spending \$180,000.00 during this agreement period.

AGREEMENT TERMS – Upon City Council's approval, this agreement shall begin on August 31, 2021 and expire August 30, 2022.

RENEWAL OPTIONS – This agreement may be renewed for up to four (4) additional one-year terms at the City's option. This action does not require specific City Council approval provided that the City Council has appropriated sufficient funds to satisfy the City's obligation during the renewal term.

BID ADVERTISEMENT – This procurement is exempt from the competitive bidding requirements as provided for under Section 252.022(7)(A) of the Texas Local Government Code because IDEXX Distribution, Inc. is the sole provider and distributor of Colilert test supplies.

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.

DVIN - A waiver of the goal for Business Equity subcontracting requirements was requested, and approved by the DVIN, in accordance with the applicable Ordinance, because the waiver request is based on the **sole source** information provided.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the current operating budget, as previously appropriated, in the Water & Sewer Fund to support the approval of the above recommendation and execution of the purchase agreement. Prior to any expenditure being incurred, the Water Department has the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

**Originating Business Unit Head:** Chris Harder 5020

**Additional Information Contact:** Patricia Stanley 5906