

Mayor and Council Communication

DATE: 04/11/23

M&C FILE NUMBER: M&C 23-0258

LOG NAME: 13P AMEND COOP OP 2019000318 EQUIPMENT RENTALS TPW CB

SUBJECT

(ALL) Authorize Amendment to City Secretary Contract No. 56916 with Herc Rentals Inc. for Rental Equipment to Increase the Annual Spending Authority by \$275,000.00 for a New Annual Amount Up to \$575,000.00, for the Transportation and Public Works Department Using a Cooperative Contract

RECOMMENDATION:

It is recommended that the City Council authorize execution of an amendment to City Secretary Contract No. 56916 with Herc Rentals Inc. for rental equipment to increase the annual spending authority by \$275,000.00 for a new annual amount up to \$575,000.00, using Omnia Partners Cooperative Contract 2019000318 for the Transportation and Public Works Department.

DISCUSSION:

The Transportation and Public Works Department (TPW) requested that the Purchasing Division assist with amending City Secretary Contract No, 56916 (Agreement) with Herc Rentals Inc., using Omnia Partners Cooperative Contract 2019000318 to increase the annual amount by \$275,000.00 for a new annual amount up to \$575,000.00.

On November 16, 2021, the City entered into the Agreement for rental equipment with an annual spend amount of \$100,000.00 using Omnia Partners Cooperative Contract 2019000318. On January 14, 2020, the City Council approved Mayor & Council Communication (M&C) 20-0007 which authorized an increase to the Agreement's annual spending authority from \$100,000.00 to \$200,000.00 for use by multiple City departments. On June 30, 2022, Amendment No. 1 was administratively executed to increase the Agreement's annual spending authority to \$300,000.00, as allowed by state law and the City Code. TPW is now in need of an additional \$275,000.00 on the contract to meet current needs.

The increase will be used to rent bucket trucks and aerial boom lifts to safely lift workers and/or equipment as required to perform tasks.

Omnia Partners Contract No. 2019000318 has a term through October 31, 2023. The Request for Offer for Omnia Partners Contract No. 2019000318 was published on May 22, 2018, and responses were opened on June 26, 2018. Omnia Partners contracts offer fixed discounts. Staff reviewed the pricing and determined it to be fair and reasonable. Omnia Partners was previously known as U.S. Communities, but the contract was not impacted when the cooperative's name changed.

This amount is budgeted in various TPW departments in the General Fund, various TPW departments in the Stormwater Utility Fund and the General Capital Projects Fund for the FY 23 PayGo SI Arterials project.

State law provides that a local government purchasing an item under a cooperative purchase agreement satisfies any state law requiring that the local government seek competitive bids for purchase of the item. Omnia Partners contracts are competitively bid to increase and simplify the purchasing power of government entities across the State of Texas.

ADMINISTRATIVE CHANGE ORDERS - In addition, 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.

RENEWAL OPTIONS – The Agreement may be renewed in accordance with the terms and conditions of Omnia Partners Contract No. 2019000318, which has an initial term through October 31, 2023, with options to renew for two additional two-year periods through October 31, 2027.

A M/WBE goal is not assigned when purchasing from an approved purchasing cooperative or public entity.

This project will serve ALL COUNCIL DISTRICTS.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital and operating budgets, as previously appropriated, in the General Capital Projects Fund for the FY 23 PayGo SL Arterials project and in the General Fund and Stormwater Utility Fund to support the approval of the above recommendation and execution of the amendment. Prior to any expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds.

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