

Mayor and Council Communication

DATE: 01/10/23

M&C FILE NUMBER: M&C 23-0056

LOG NAME: 80SOLE SOURCE PLAYGROUNDS

SUBJECT

(ALL) Authorize Sole Source Purchase Agreements with Named Vendors for Playground Equipment, Supplies, and Replacement Parts for a Combined Annual Amount Up to \$750,000.00 for the Park & Recreation Department and Authorize Four One-Year Renewal Options for the Same Annual Amount

RECOMMENDATION:

It is recommended that the City Council authorize sole source purchase agreements with named vendors for playground equipment, supplies, and replacement parts for a combined annual amount up to \$750,000.00 for the Park & Recreation Department and authorize four one-year renewal options for the same annual amount.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to authorize sole source purchase agreements with the vendors named below for playground equipment, supplies, and replacement parts for a combined annual amount of up to \$750,000.00 for the Park & Recreation Department (PARD) and authorize four one-year renewal options for the same annual amount.

The PARD maintains 213 playgrounds within the City of Fort Worth. Once a playground is purchased from a specific manufacturer, the City must continue to purchase replacement parts from that same manufacturer as parts from other manufacturers are not compatible. Playground equipment, parts, and supplies for playgrounds throughout the City are supplied by the following vendors: (1) American Ramp Company Inc, (2) Child's Play, Inc., (3) Cunningham Recreation, (4) EZ Dock of Texas, L.P., (5) Heartland Park and Recreation LLC, (6) Insite Amenities, (7) Kompan, Inc., (8) Lea Park & Play, Inc., (9) Playground Solutions of Texas, Inc., (10) Shade Structures, Inc., (11) Webuildfun, Inc, and (12) Whirlix Design Inc. Staff reviewed the prices from the specified vendors and determined the prices to be fair and reasonable. No guarantee is made that a specific amount of goods will be purchased. The City anticipates spending approximately \$750,000.00 during the initial term for replacement parts, which provides an adequate amount of funds for equipment, parts, and supplies needed for city playgrounds.

Funding for replacement parts is budgeted in the Operating Supplies and Other Contractual Service accounts of the PARD's General Fund.

This procurement is exempted from the competitive bidding requirements as provided for under Section 252.022(7) of the Texas Local Government Code because, the specified vendors are the documented sole source original equipment manufacturer for the playground equipment each manufacturer provides.

DVIN-BE: The PARD submitted a Sole Source 252 Exemption Form that was approved by the City Attorney's Office. Therefore, the business equity goal requirement is not applicable.

ADMINISTRATIVE CHANGE ORDER - An administrative change order or increase may be made by the City Manager or designee 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 approval, the Agreements shall begin upon execution of the Agreements and will expire on September 30, 2023. These agreements may be automatically renewed for up to four (4) additional one-year terms. This action does not require specific City Council approval provided that the City Council appropriates sufficient funds to satisfy the City's obligations during the renewal term.

This project will serve ALL COUNCIL DISTRICTS.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendation, funds are available in the current operating budget, as previously appropriated, in the General Fund. Prior to any expenditure being incurred, the Park and Recreation Department has the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: Jessica L. McEachern 5804

Originating Business Unit Head: Dave Lewis 5717

Additional Information Contact: Joel McElhany 5745

