

Mayor and Council Communication

DATE: 12/14/21

M&C FILE NUMBER: M&C 21-0949

LOG NAME: 13P AMEND ILA DALLAS SULFUR DIOXIDE TD WTR

SUBJECT

(ALL) Authorize Execution of an Amendment to the Purchase Agreement with Ineos Calabrian Corporation for Sulfur Dioxide to Increase the Annual Amount by \$300,000.00 for a Total of \$400,000.00, using the Interlocal Cooperative Agreement with the City of Dallas for Dallas Bid 19-1917, and Ratify Expenditures in the Amount of \$22,000.00 for the Water Department

RECOMMENDATION:

It is recommended that the City Council authorize an Amendment to the Purchase Agreement with Ineos Calabrian Corporation for Sulfur Dioxide to increase the annual amount by \$300,000.00 for a total of \$400,000.00, using the Interlocal Cooperative Agreement with the City of Dallas for Dallas Bid 19-1917, and ratify expenditures in the amount of \$22,000.00 for the Water Department.

DISCUSSION:

On September 3, 2021, the City of Fort Worth (City) executed a Purchase Agreement with Ineos Calabrian Corporation in the amount of \$100,000.00 for the purchase of Sulfur Dioxide for an initial term of three (3) months and a one-year renewal option. This Purchase Agreement was authorized through an Interlocal Agreement with the City of Dallas for a cooperative agreement which allows Fort Worth to purchase goods and/or services off existing contracts between Dallas and a Vendor so long as state law competitive bid requirements are met. The City of Dallas satisfied state law competitive bidding requirements when it issued bid 19-1917 for the procurement of Liquid Sulfur Dioxide and awarded a contract to Ineos Calabrian Corporation.

The Water Department uses sulfur dioxide to remove chlorine from the Village Creek Water Reclamation Facility (WRF) effluent before it is discharged to the river.

The purpose of this Mayor and Council Communication is to request an amendment to the agreement to increase the contract by an additional \$300,000.00. The increase is needed while the Purchasing Division issues a new bid for Sulfur Dioxide. It is anticipated that the bid will go out this Spring.

It is requested that City Council approve the ratification of the \$22,000.00 in expenditures. The Water Department used all of the \$100,000.00 spending authority by the end of November and additional sulfur dioxide was needed.

COOPERATIVE PURCHASE - State law provides that a local government purchasing an item under a cooperative purchasing agreement satisfies State laws requiring that the local government seek competitive bids for purchase of the item. Cooperative contracts have been competitively bid to increase and simplify the purchasing power of local government entities across the State of Texas.

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

RENEWAL OPTIONS - Upon City Council's approval, this agreement will commence upon execution by both parties through December 11, 2021 with the option to renew for one additional one-year period in accordance with the terms of the City of Dallas and Ineos Calabrian Corporation. 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.

This project will serve ALL COUNCIL DISTRICTS.

FISCAL INFORMATION / CERTIFICATION:

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

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