

# Mayor and Council Communication

**DATE:** 12/12/23

**M&C FILE NUMBER:** M&C 23-1030

**LOG NAME:** 04GRAYBAR ELECTRIC STRUCTURED CABLING AND SERVICES

**SUBJECT**

(ALL) Authorize Execution of a Cooperative Purchase Agreement with Graybar Electric Company, Inc. to Provide Structured Cabling and Services in an Amount Up to \$1,500,000.00 Annually with Renewal Options for the Information Technology Solutions Department

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**RECOMMENDATION:**

It is recommended that City Council authorize execution of a cooperative purchase agreement with Graybar Electric Company, Inc. to provide structured cabling and services in an amount up to \$1,500,000.00 annually with up to five (5) renewal options for the Information Technology Solutions Department.

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**DISCUSSION:**

This Mayor and Council Communication (M&C) requests authorization to execute a cooperative purchase agreement with Graybar Electric Company, Inc. (Graybar) to provide structured cabling equipment, materials, parts, and labor for projects throughout the City. Graybar holds Omnia Partners contract EV2370 which will provide discounts for all communication infrastructure parts, materials, labor, and services. This request is for authorization up to an amount of \$1,500,000.00 annually for structured cabling projects citywide.

Large structured cabling projects that will use this authorization include:

New Clifford Library
New Police Department Storefront Northeast
New Fire Station 43
New Fire Station 26
New Fire Station 37
New Fire Station 16
New North Library
New North Police Department Division
Present City Hall remodel for Police Department
Meadowbrook Golf Club remodel
Fort Worth Convention Center expansion/remodel
New City Hall
Fire Station 15 remodel

The Water Department has fiber and data cabling projects below scheduled within the next five years.

Holly Water Treatment Plant
Westside Water Treatment Plant
Eagle Mountain Water Treatment Plant
Rolling Hills Water Treatment Plant
Village Creek Waste Water Reclamation Plant
New Mary's Creek Waste Water Reclamation Plant

The Water Department (Water) projects do not account for break/fix or other office configuration needs. Water estimates these projects will cost \$280,000.00 per year. Fiber and data cabling projects for the Water Department will be funded by a combination of Capital projects and Operating funds.

Other construction or retrofit/remodel projects will be funded by a combination of Capital projects and Operating funds.

**BACKGROUND:** In 2017, the Information Technology Solutions Department (ITS) together with the Purchasing Division conducted a Request For Proposal process for structured cabling. As a result, ABLe Communications, Inc. and Superior Fiber & Data Services, Inc. were selected to provide structured cabling parts and services Citywide. On June 20, 2017, City Council authorized M&C P-12065 for the execution of professional services agreements with ABLe Communications, Inc. and Superior Fiber & Data Services, Inc. to provide structured cabling parts and services through ITS. Since that time, the City has spent over \$5,000,000.00 for structured cabling materials, parts, and services through September 2023.

Upon Council approval of this M&C, the executed new Cooperative Purchase Agreement with Graybar will replace the existing ABLe Communications, Inc. and Superior Fiber & Data Services, Inc. City Secretary Contracts and their respective remaining authorization. Graybar Omnia cooperative agreement will provide discounted pricing for all structured cabling materials, parts, and services to ITS.

**COOPERATIVE PURCHASE:** State law provides that a local government purchasing an item under a cooperative purchase 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.

**SUCCESSOR CONTRACTS:** In the event the Omnia Partners (Omnia) agreement is not renewed, staff would cease purchasing at the time of the last purchase agreement coinciding with a valid Omnia agreement. If the City Council were to not appropriate funds for a future year, staff would stop making purchases when the last appropriation expires, regardless of whether the then-current purchase agreement has expired.

The City will initially use the Omnia contract to make purchases authorized by this M&C. The Cooperative Contract is set to expire January 31, 2024 with options to renew through January 31, 2029. If Graybar Omnia EV2370 is extended, this M&C authorizes the City to purchase similar equipment and services under the extended contract. If Omnia EV2370 is not extended but Omnia executes a new cooperative contract with Graybar and with substantially similar terms, this M&C authorizes the City to purchase the equipment and services under the new Omnia contract. If this occurs, in no event with the City continue to purchase goods and services under the new agreement for more than three (3) years without seeking Council approval.

**BUSINESS EQUITY:** The City's Diversity and Inclusion Department (DVIN) does not require Business Equity Goals when purchasing goods and services under a cooperative agreement such as Graybar's Omnia contract. However, Graybar has agreed, in good faith, to subcontract with certified Minority Business Enterprise (MBE) firms ABLe Communications, Inc. (ABLe) and Superior Fiber & Data, Inc. (Superior) to provide services for the City's structured cabling needs. Graybar will report subcontract dollars spent with ABLe and Superior in the DVIN contracting database for tracking purposes only.

**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 a sufficient funds have been appropriated.

**AGREEMENT TERM:** Upon City Council's approval, the initial term of the agreement will become effective once executed by the Assistant City Manager and will expire on January 31, 2024. The Agreement may be renewed through January 31, 2025, with the option for Omnia to renew through January 31, 2029. If the Omnia contract is extended through January 31, 2029, this agreement may be renewed in accordance with its

terms through January 31, 2029.

**RENEWAL OPTIONS:** This agreement may be renewed for up to five (5) one-year renewal terms, in accordance with the underlying Omnia contract, 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 obligations during the renewal term.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the ITS Capital Fund for the FY21 AV/DS, FY22 AV/DS, FY23 ITS Audio Visual, FY22 PD P2P Camera Expansion, and FY22 FD Locution Refresh projects, and the Technology Infrastructure-IT programmable project. Other planned projects listed above and future projects are funded in the budgets of the respective capital project or the departments' Operating Funds to support the approval of the above recommendation and execution of the agreement. Prior to an expenditure being incurred, the Information Technology Solutions Department and participating departments have the responsibility to validate the availability of funds.

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