

# Mayor and Council Communication

**M&C FILE NUMBER: M&C 24-0107**

**LOG NAME:** 13P AMEND CSCO 56916 EQUIP RENTAL AND RELATED PROD TPW CB

**SUBJECT**

(ALL) Authorize Execution of an Amendment to City Secretary Contract No. 56916 with Herc Rentals, Inc. for Equipment Rental and Related Service to Increase the Annual Amount by \$458,542.00 for a New Annual Amount Up to \$1,033,542.00 Using Omnia Partners Cooperative Contract No. 2019000318 for the Transportation and Public Works Department

**RECOMMENDATION:**

It is recommended that the City Council authorize execution of an amendment to City Secretary contract no. 56916 with Herc Rentals, Inc. for equipment rental and related service to increase the annual amount by \$458,542.00 for a new annual amount up to \$1,033,542.00 using Omnia Partners cooperative contract no. 2019000318 for the Transportation and Public Works Department.

**DISCUSSION:**

On November 16, 2021, the City approved a contract with Herc Rentals using an Omnia Partners Cooperative Agreement for equipment rentals and related products on an “as-needed” basis (M&C 20-0007). This agreement is utilized by all City Departments; however, the Transportation and Public Works Department (TPW) requested an increase of \$458,542.00 to the annual amount to accommodate increased demand on these services. TPW requested that the Purchasing Division assist with amending the agreement to provide additional spending authority.

Approval of this Mayor and Council Communication authorizes the City to spend up to \$1,033,542.00 per year with Herc Rentals for equipment rentals and related services. Actual usage in any term can be up to the authorized amount and will be dependent upon actual appropriations for this purpose in the department's budgets.

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 the purchase of the item. Omnia Partners Contract No. 2019000318 has been competitively bid to increase and simplify the purchasing power of government entities. Omnia Partners Contract No. 2019000318 has a term through October 31, 2024, with two one-year renewal options. The Request for Proposal was published on May 22, 2018, and responses were opened on June 26, 2018. Staff reviewed the pricing and determined it to be fair and reasonable.

**ADMINISTRATIVE CHANGE ORDERS** - 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.

**RENEWAL OPTIONS** – The initial term of this Agreement will end on October 31, 2024, with two one-year options to renew so long as the underlying coop is renewed. This action does not require specific City Council approval provided that City Council has appropriated sufficient funds to satisfy the City's obligations during the renewal terms. Staff anticipates that the costs for renewal years shall remain approximately the same as the initial year.

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

Funding is budgeted in the General Fund and Stormwater Utility Fund.

This project will serve ALL COUNCIL DISTRICTS.

**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the recommendation, funds are available in the current operating budget, as previously appropriated, of the General Fund and the Stormwater Utility Fund. Prior to an expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds.

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