

# Mayor and Council Communication

**DATE:** 11/08/22

**M&C FILE NUMBER:** M&C 22-0910

**LOG NAME:** 21FY23 KIRBY-SMITH MACHINERY REPAIRS & SVS

## **SUBJECT**

(ALL) Authorize Sole Source Purchase Agreement with Kirby-Smith Machinery for Original Equipment Manufacturer Gradall Equipment Parts and Repairs in an Amount Up to \$200,000.00 Per Year with Four One-Year Renewal Options for the Property Management Department

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## **RECOMMENDATION:**

It is recommended that the City Council authorize a sole source purchase agreement with Kirby-Smith Machinery for original equipment manufacturer Gradall equipment parts and repairs in an amount up to \$200,000.00 per year with four one-year renewal options for the Property Management Department.

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## **DISCUSSION:**

The Property Management Department (PMD) approached the Purchasing Division for assistance in obtaining replacement parts and services to maintain City owned Gradall excavating equipment. Kirby-Smith Machinery is the authorized service facility for Gradall maintenance, service repairs and original equipment manufacturer (OEM) replacement parts. The City of Fort Worth has excavators to demolish, dig, load and unload terrain on highways and off-road with a model year range of 1975 to 2018. Gradall offers OEM parts needed to ensure optimal performance from equipment during standard business hours and after hour field service calls.

Staff reviewed the prices and determined them to be fair and reasonable. No guarantee was made that a specific amount of goods and services would be purchased. The City anticipates spending approximately \$200,000.00 during the first agreement period; which provides an adequate amount of funds for repairs and service needed for city equipment.

Funding is budgeted in the Fleet Service Outside Repair & Maintenance account of the Property Management Department's Fleet & Equipment Service Fund.

M/WBE OFFICE - A waiver of the goal for MBE/SBE subcontracting requirements was requested by the Property Management Department and approved by the M/WBE Office, in accordance with the M/WBE or BDE Ordinance, because the M/WBE Waiver is based on the sole source information provided to the M/WBE Office by the Purchasing Division Buyer.

This procurement is exempted from the competitive bidding requirements as provided for under Section 252.022(7) of the Texas Local Government Code because, Kirby-Smith Machinery is the documented sole source original equipment manufacturer for Gradall equipment parts, repairs and maintenance services for Kirby- Smith.

ADMINISTRATIVE CHANGE ORDER - An administrative change order or increase may be made by the City Manager in the amount up to \$50,000.00 and does not require specific City Council approval as long as sufficient funds have been appropriated.

Upon City Council approval, the Agreement shall begin upon execution of the Agreement and expire one year from that date.

RENEWAL OPTIONS - This Agreement may be renewed for four additional one-year renewal periods. 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 upon approval of the above recommendation, funds are available in the current operating budget, as previously appropriated, in the Fleet & Equipment Serv Fund. Prior to any expenditure being incurred, the Property Management Department has the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

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