

# Mayor and Council Communication

**DATE:** 12/01/20

**M&C FILE NUMBER:** M&C 20-0867

**LOG NAME:** 13PAMEND COOP 9-1-1 EQUIPMENT AR PD

## **SUBJECT**

(ALL) Authorize Increase to Cooperative Agreement with Ergoflex Systems, Inc. dba Xybix Systems, Inc. in the Amount of \$328,312.00, for a Total Amount of \$346,899.00, for 9-1-1 Equipment and Emergency Software and Services for the Police Department Using Houston-Galveston Area Council (HGAC) Contract Number EC07-20

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## **RECOMMENDATION:**

It is recommended that the City Council authorize an increase to the cooperative agreement with Ergoflex Systems, Inc. dba Xybix Systems, Inc. in the amount of \$328,312.00, for a total amount of \$346,899.00, for 9-1-1 equipment and emergency software and services for the Police Department using HGAC Contract Number EC07-20.

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## **DISCUSSION:**

On September 10, 2020, the Police Department contacted the Purchasing Division to enter into an agreement for 9-1-1 equipment and emergency software and services using a cooperative agreement. Due to it being the end of the fiscal year and the deadline for departments to submit end of year purchasing requests over \$100,000.00 passing, Purchasing's Assistant Director authorized a cooperative agreement with Ergoflex Systems, Inc. dba Xybix Systems, Inc. in the amount of \$18,587.00 for the Police Department. The agreement allows the department's Communications Division to begin phase one of replacing broken dispatch consoles. The division will utilize the dispatch consoles to conduct their daily tasks of providing support to citizens and law enforcement during emergency and non-emergency situations.

The Police Department contacted the Purchasing Division in October 2020 requesting assistance to increase the authority under the agreement by \$328,312.00 for a new total agreement amount of \$346,899.00. The increase in contract authority will allow the Communications Division to begin phase two of replacing dispatch consoles.

An MBE/SBE goal is not assigned when purchasing from an approved purchasing cooperative or public entity.

The current agreement term is from July 1, 2020, to June 30, 2022.

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. Department of Information Resources Contracts has been competitively bid to increase and simplify the purchasing power of government entities.

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.

This Agreement may be renewed in accordance with the terms and conditions of Houston-Galveston Area Council Contract No. EC07-20 or applicable successive Houston-Galveston Area Council contracts for the same services at the City's option. 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.

In the event that a cooperative agreement is not renewed, staff would cease making purchases at the end of the last purchase agreement coinciding with the valid cooperative agreement. If the City Council were to not appropriate funds for a future year, staff would cease making purchases when the last appropriation expires, regardless of whether the then-current purchase agreement has expired. If the cooperative contract is extended, this Mayor and Council Communication (M&C) authorizes the City to purchase similar products and services under the extended contracts. If the cooperative contract is not extended, but a new cooperative contract is executed with Ergoflex Systems, Inc. dba Xybix Systems, Inc. with substantially similar terms as the previous cooperative contract, this M&C authorizes the City to purchase the services under the new cooperative contract.

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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 State Asset Forfeiture Capital Fund for the PD - Comm Consoles project to support the approval of the above recommendation and to authorize the agreement. Prior to any expenditure being incurred, the Police Department has the responsibility to validate the availability of funds.

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