

# Mayor and Council Communication

**DATE:** 05/14/24

**M&C FILE NUMBER:** M&C 24-0376

**LOG NAME:** 13P COOP PAINT, SUPPLIES AND RELATED EQUIPMENT ML PARKS

**SUBJECT**

(ALL) Authorize Non-Exclusive Purchase Agreements with Sherwin-Williams Company and PPG Architectural Finishes Inc. Using TIPS Cooperative Contract No. 230503 and Sourcewell Cooperative Contract No. 091323 for the Purchase of Paint and Coating Supplies and Related Equipment in a Combined Annual Amount Up to \$340,750.00 for City Departments and Authorize Annual Renewal Options

**RECOMMENDATION:**

It is recommended that the City Council authorize non-exclusive purchase agreements with Sherwin-Williams Company and PPG Architectural Finishes Inc. using TIPS Cooperative Contract No. 230503 and Sourcewell Cooperative Contract No. 091323 for the purchase of paint and coating supplies and related equipment in a combined annual amount up to \$340,750.00 for City Departments and authorize annual renewal options to align with the respective cooperative contracts.

**DISCUSSION:**

The Park & Recreation, Aviation, Public Events, Water and Property Management Departments approached the Purchasing Division to enter into agreements with the Sherwin-Williams Company and PPG Architectural Finishes Inc. using TIPS Cooperative Contract No. 230503 and Sourcewell Cooperative Contract No. 091323. The contracts offer a variety of products including interior coatings, exterior coatings, equipment & supplies, wood stains, sealers, clear topcoats, commercial high-performance coatings, primers, concrete & masonry products, aerosols, deck stains & supplies, floor coatings, and roof coatings. City Departments will utilize the agreements to purchase supplies and equipment for various City of Fort Worth buildings on an as-needed basis.

Staff from the user-departments identified the need for paint from multiple vendors due to product availability. Approval of this Mayor and Council Communication (M&C) authorizes the City to execute agreements with the following vendors: Sherwin-Williams Company and PPG Architectural Finishes Inc.

**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 the purchase of the items. TIPS and Sourcewell contracts have been competitively bid to increase and simplify the purchasing power of government entities.

Approval of this M&C authorizes the City to spend up to \$340,750.00 per year with the listed vendors for paint and coating supplies and related equipment. Actual usage in any term can be up to the authorized amount and will be dependent upon actual appropriations for this purpose in the departments' budgets. The annual department allocation for these agreements are:

Departments	Annual Amount
Park & Recreation	\$114,750
Aviation	\$15,000
Public Events	\$113,000
Water	\$48,000
Property Management	\$50,000

Funding is budgeted in the various accounts within the participating departments operating budgets, as appropriated.

TIPS Cooperative Contract No. 230503 has an initial term beginning on July 25, 2023 through July 31, 2026, and includes one (1) one-year renewal options. The Request for Proposal for TIPS Contract No. 230503 was published on May 4, 2023, and responses were opened on June 16, 2023. TIPS contracts offer fixed discounts. Staff reviewed the pricing and determined it to be fair and reasonable.

Sourcewell Cooperative Contract No. 091323 has an initial term beginning on November 1, 2023, through November 8, 2027, and includes three (3) one-year renewal options. The Request for Proposal for Soucewell Contract No. 091323 was published on July 25, 2023, and responses were opened on September 13, 2023. Sourcewell contracts offer fixed discounts. Staff reviewed the pricing and determined it to be fair and reasonable.

**AGREEMENT TERM:** The TIPS Cooperative contract will begin upon execution and will expire on July 31, 2024, with three (3) one-year options to renew to align with TIPS Cooperative Contract No. 230503. The Sourcewell contract will begin upon execution and will expire on November 8, 2024, with six (6) one-year options to renew to align with Sourcewell Cooperative Contact No. 091323.

**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 as sufficient funds have been appropriated.

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

This project will serve ALL COUNCIL DISTRICTS.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the current operating budget, as previously appropriated, in the participating departments' Operating Funds to support the approval of the above recommendation and award of the agreements. Prior to any expenditure being incurred, the participating departments have the responsibility to validate the availability of funds.

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