

# Mayor and Council Communication

**DATE:** 01/10/23

**M&C FILE NUMBER:** M&C 23-0053

**LOG NAME:** 60WATERLAB2023

**SUBJECT**

(ALL) Authorize Execution of Sole Source Agreement with Agilent Technologies, Inc. for Preventative Maintenance of ISO 9001 Instruments for the Water Department in an Annual Amount of \$111,221.05 for the First Year and Authorize Four One-Year Renewal Options for the Same Amount

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**RECOMMENDATION:**

It is recommended that the City Council authorize execution of sole source agreement with Agilent Technologies, Inc. for preventative maintenance of ISO 9001 Instruments for the Water Department in an annual amount of \$111,221.05 for the first year and authorize four one-year renewal options for the same amount.

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**DISCUSSION:**

The Water Department Laboratory Division will use this agreement to provided preventative maintenance for existing International Organization for Standardization (ISO) 9001 Instruments that includes hardware, software, parts, training, technical support and at-your-site service and support procedures.

The ISO 9001 Instruments are used to analyze water samples and to identify unknown contaminants. This procurement is necessary to preserve and protect the public health and safety of the City of Fort Worth residents. These instruments perform analysis that are linked to permits, EPA (Environmental Protection Agency) and TCEQ (Texas Commission on Environmental Quality) Regulatory Requirements as well as various water monitoring projects.

Agilent Technologies is the sole source manufacturer of ISO 9001 Instruments, hardware, software, parts, training, technical support and at-your-site service and support procedures.

Texas Local Government Code, Chapter 252.022 (7) allow for procurement of goods and services without competitive bids when deemed necessary to preserve or protect the public health and safety of the municipality's residents.

Funding is budgeted in the Water Department and Wastewater Department rollup's within the Water & Sewer Fund.

**DVIN-BE:** Water/Wastewater was approved for a sole source exemption by the Legal Department. Therefore, the business equity goal requirement is not applicable.

**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 Fort Worth City Code and does not require specific City Council approval as long as sufficient funds have been appropriated.

**AGREEMENT TERMS:** Upon City Council approval, this agreement shall begin upon execution and expires on December 31, 2023.

**RENEWAL OPTIONS:** The agreement may be renewed for four (4) additional one-year 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 funds are available in the current operating budget, as previously appropriated, in the Water and Sewer Fund to support the approval of the above recommendation and execution of the agreement. Prior to any expenditure being incurred, the Water Department has the responsibility to validate the availability of funds.

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