

Mayor and Council Communication

DATE: 05/09/23

M&C FILE NUMBER: M&C 23-0369

LOG NAME: 13PAMEND COOP BB 608-20 HIGHWAY SAFETY AND TRAFFIC CNTR WTR HO

SUBJECT

(ALL) Authorize Execution of an Amendment to City Secretary Contract No. 57855 with Buyers Barricades Inc. for Highway Safety and Traffic Control Products to Increase the Annual Amount by \$100,000.00 for a New Annual Amount of \$200,000.00 Using BuyBoard Cooperative Contract for the Water Department

RECOMMENDATION:

It is recommended that the City Council authorize execution of an amendment to City Secretary Contract No. 57855 with Buyers Barricades Inc. for highway safety and traffic control products to increase the annual amount by \$100,000.00 for a new annual amount of \$200,000.00, using BuyBoard Cooperative Contract 608-20, for the Water Department and authorize two one-year renewal options under substantially similar terms.

DISCUSSION:

On July 13, 2022, the Water Department entered into the Agreement for the purchase of highway safety and traffic control products for an annual spend amount of \$100,000.00 using BuyBoard contract 608-20. The Request for Proposal for BuyBoard Contract No. 698-23 was published on July 21, 2019, and responses were opened on November 7, 2019. BuyBoard contracts offer fixed discounts. Staff reviewed the pricing and determined it to be fair and reasonable.

The Water Department requested that the Purchasing Division assist with amending the agreement with Buyers Barricades Inc. to increase the annual spending limit by up to \$100,000.00 for a new not to exceed annual amount of \$200,000.00.

The increase will be used to purchase traffic control equipment such as road signs, stands, traffic cones, and barrels which are used to divert traffic around work sites providing a safe work environment for crews repairing water and sewer mains.

The maximum amount allowed under this agreement for the Water Department will be \$200,000.00; however, the actual amount used will be based on the need of the department and the available budget. Funding is budgeted in the Water Department's rollup within the Water and Sewer Fund.

COOPERATIVE PURCHASE - State law provides that a local government purchasing an item under a cooperative purchase agreement satisfies any state law requiring that the local government seek competitive bids for the purchase of the item. BuyBoard contracts are competitively bid to increase and simplify the purchasing power of government entities across the State of Texas.

SUCCESSOR CONTRACTS: The City will initially use the BuyBoard contract to make purchases authorized by this Mayor and Council Communication (M&C). The Cooperative Contract is set to expire on May 31, 2023. If BuyBoard 608-20 is extended, this M&C authorizes the City to purchase similar equipment and supplies under the extended contract. If BuyBoard 608-20 is not extended but BuyBoard executes a new cooperative contract with Buyers Barricades Inc. and with substantially similar terms, this M&C authorizes the City to purchase the services under the new BuyBoard contract. If this occurs, in no event will the City continue to purchase services under the new agreement for more than three (3) years without seeking Council approval. In the event that a Cooperative Agreement is not renewed, Staff would cease purchasing at the end of the last Purchase Agreement coinciding with the valid Cooperative Agreements. If the City Council were to not appropriate funds for a future year, Staff would stop making purchases when the last appropriation expires, regardless of whether the then-current Purchase Agreement has expired.

DIVERSITY & INCLUSION - A Business Equity goal is not assigned when purchasing from an approved purchasing cooperative or public entity.

AGREEMENT TERM: The current term of this Agreement expires on May 31, 2023 in accordance with the BuyBoard contract.

RENEWAL OPTIONS: This agreement may be renewed up to two one-year renewal terms at the City's option. 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 terms.

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.

These projects will serve ALL COUNCIL DISTRICTS.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current operating budget, as previously appropriated in the Water Department Operating Fund to support the approval of the above recommendation and execution of the amendment to the contract. Prior to any expenditures being incurred the Water Department has the responsibility to validate the availability of funds.

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