

Mayor and Council Communication

DATE: 05/14/24

M&C FILE NUMBER: M&C 24-0374

LOG NAME: 13P AMEND MC 22-0463 ASPHALT HOT AND COLD LAY TPW CB

SUBJECT

(ALL) Authorize Amendments to Non-Exclusive Purchase Agreements with Asphalt Patch Enterprises, Inc., Austin Asphalt, Inc., and Reynolds Asphalt and Construction Co. for Asphalt Hot and Cold Lay to Increase the Annual Aggregate Amount by \$689,394.00 for a New Annual Aggregate Amount Up to \$3,696,970.00 for the Transportation and Public Works Department

RECOMMENDATION:

It is recommended that the City Council authorize the execution of amendments to nonexclusive purchase agreements with Asphalt Patch Enterprises, Inc., Austin Asphalt, Inc., and Reynolds Asphalt and Construction Co. for asphalt hot and cold lay to increase the annual aggregate amount by \$689,394.00 for a new annual aggregate amount up to \$3,696,970.00 for the Transportation and Public Works Department

DISCUSSION:

On June 14, 2022, the City Council approved Mayor and Council Communication (M&C) 22-0463 with Asphalt Patch Enterprises, Inc., Austin Asphalt, Inc., and Reynolds Asphalt and Construction Co. in the amount of \$2,957,576.00 for City Departments. Through these non-exclusive agreements, the vendors supply asphalt hot and cold lay for repairs ranging from small cracks and potholes to larger-scale paving applications such as roads and parking lots.

On October 6, 2023, an administrative change order of \$50,000.00, which does not require specific City Council approval, was executed as allowed by relevant law and Fort Worth City Code, bringing the total annual amount up to \$3,007,576.00. The change order was used to provide additional funding for asphalt hot and cold lay.

On February 2, 2024, the Transportation and Public Works Department approached the Purchasing Division to increase the agreement by an additional \$689,394.00, representing the full 25% allowed by state law when combined with the previous administrative increase, for a new annual amount up to \$3,696,970.00. The Transportation and Public Works Department will use the funding to provide additional repair services to City roads and parking lots.

Funding is budgeted in the General Capital Projects Fund for the TPW Dept Highway & Streets Department for the purpose of funding the 2024 Interlocal Agreement TC project.

AGREEMENT TERMS - The current term of this agreement will expire on June 14, 2024, with three one-year renewal options remaining thereafter.

Business Equity - A waiver of the goal for Business Equity subcontracting requirement is approved by the DVIN-BE, in accordance with the Business Equity Ordinance, because the purchase of goods or services is from sources where subcontracting or supplier opportunities are negligible.

RENEWAL TERMS: The contract may be renewed for up to three (3) successive one-year terms at the City's option, for the maximum amount allowed. 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 term.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the General Capital Projects Fund for the 2024 Interlocal Agreement TC to support the approval of the above recommendation and execution of the amendment. Prior to any expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds.

<u>Submitted for City Manager's Office by:</u>	Reginald Zeno	8517
	Jesica McEachern	5804
<u>Originating Business Unit Head:</u>	Reginald Zeno	8517
	Lauren Prieur	6035
<u>Additional Information Contact:</u>	Jo Ann Gunn	8525
	Charles Benson	8063