

Mayor and Council Communication

DATE: 08/24/21

M&C FILE NUMBER: M&C 21-0599

LOG NAME: 13P21-0057 REJECT MOSQUITO SURVEILLANCE CC CODE

SUBJECT

(ALL) Authorize Rejection of All Responses to Request for Proposal 21-0057 for Mosquito Surveillance for the Code Compliance Department

RECOMMENDATION:

It is recommended that the City Council authorize the rejection of all responses to Request for Proposal 21-0057 for mosquito surveillance for the Code Compliance Department.

DISCUSSION:

On March 17, 2021, Purchasing issued Request for Proposal (RFP) 21-0057 for mosquito surveillance for the Code Compliance Department. Notice of the RFP was advertised in the *Fort Worth Star-Telegram* on March, 17, 2021, March 24, 2021 and March 31, 2021. The City received two responses, one from DFW Environment Health Services LLC and one from PRP Services, LLC d/b/a Municipal Mosquito.

In the RFP, a Texas Structural Board pesticide license was listed as a required specification. Because DFW Environment Health Services LLC failed to submit its license, their bid was deemed non-responsive. The remaining bid – from Municipal Mosquito - was evaluated by staff from Code Compliance and Communications and Public Engagement. After evaluation, the Code Compliance Department requested a best and final offer from Municipal Mosquito. Code Compliance then requested that Purchasing reject all bids for this procurement due to the prices for the sole bid exceeding the department's budget estimates.

While action on the reject-all memo was pending, Code Compliance eliminated the Texas Structural Board pesticide license requirement and separately prepared a bid-exemption form, seeking to engage mosquito surveillance services without going back out for bid. Code's rationale for the exemption was that Local Government Code 252.022(a)(2) exempts from bidding those expenditures that are for "a procurement necessary to preserve or protect the public health or safety of the municipality's residents." Based on the cited rationale, the Law Department signed off on the exemption.

Code Compliance then presented City Council with M&C 21-0433, which sought approval of a purchase agreement with DFW Environment Health Services LLC for mosquito surveillance. That M&C was approved on June 22, 2021, authorizing a purchase agreement for an amount up to \$150,000 (M&C 21-0422).

Staff recommends rejection of all bids received for RFP 21-0057.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that approval of this recommendation will have no material effect on City funds.

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