

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 03/29/22 M&C FILE NUMBER: M&C 22-0206

LOG NAME: 13P22-0048 GENERATORS AR WATER

SUBJECT

(ALL) Authorize a One-Time Purchase Agreement with Cummins Southern Plains, LLC. for the Purchase of Three Generators in an Amount of \$790,902.00 for the Water Department

RECOMMENDATION:

It is recommended that the City Council authorize a one-time purchase agreement with Cummins Southern Plains, LLC. for the purchase of three generators in an amount of \$790,902.00 for the Water Department.

DISCUSSION:

The Water Department approached the Purchasing Division to procure a one-time purchase agreement for two diesel generators and one natural gas generator. The generators will be utilized for backup power at various locations in the water/wastewater system. In order to procure these items staff issued an Invitation to Bid (ITB). The ITB consisted of detailed specifications regarding the generators requirements.

The ITB was advertised in the *Fort Worth Star-Telegram* on January 19, 2022, January 26, 2022, February 2, 2022, and February 9, 2022. The City received two bids. Pro-Line Procurement Services was deemed non-responsive due to not submitting all required documentation and not meeting the minimum years of experience providing the goods. Staff evaluated the remaining bid response and recommends awarding a one-time purchase agreement to Cummins Southern Plains, LLC. Staff reviewed the proposed pricing and concluded that pricing offered by the recommended vendor is fair and reasonable.

Funding is budgeted in the Cap Out Equipment account of the Water and Wastewater Public Utility Department's W&S Capital Projects Fund.

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.

AGREEMENT TERMS - Upon City Council approval, this agreement shall begin upon execution and expire one year from that date.

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.

A Form 1295 is not required because: This contract will be with a publicly-traded business entity or a wholly-owned subsidiary of a publicly-traded business entity: Cummins Southern Plains, LLC.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the W&S Capital Projects Fund for the Sewer FY19 Non Fleet Eqmt Pur project and the Water FY22 Non Fleet Eqmt project to support the approval of the above recommendation and award 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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Expedited