City of Fort Worth, Texas

Mayor and Council Communication

DATE: 02/14/23 **M&C FILE NUMBER:** M&C 23-0132

LOG NAME: 80DREDGING COOP - SOUTHLAKE

SUBJECT

(ALL) Authorize the Execution of a Purchase Agreement with American Underwater Services, Inc., Using an Interlocal Agreement with the City of Southlake in an Amount Up to \$1,250,000.00 and Authorize One One-Year Renewal Option for the Same Annual Amount for Dredging Services for the Park & Recreation Department (2022 Bond Program)

RECOMMENDATION:

It is recommended that the City Council authorize a purchase agreement with American Underwater Services, Inc., using an Interlocal Agreement with the City of Southlake, in an amount up to \$1,250,000.00, for the dredging of park ponds and lakes as identified in the 2022 Bond Program (Proposition B) and authorize one one-year renewal option for the same annual amount for dredging services for the Park & Recreation Department.

DISCUSSION:

The purpose of this Mayor & Council Communication (M&C) is to authorize a purchase agreement with American Underwater Services, Inc., using an Interlocal Agreement with the City of Southlake, in an amount up to \$1,250,000.00, for the dredging of park ponds and lakes as identified in the 2022 Bond Program (Proposition B).

In October 2022, the Park & Recreation Department (PARD) requested that the Purchasing Division enter into an agreement for dredging services on an as-needed basis. The PARD will use dredging services to maintain drainage systems, reduce the risk of flooding throughout the City, and improve the ecological environment in our lakes and ponds. The PARD will use dredging services at four sites: Candleridge Park, Foster Park, Oakland Park, and Pecan Valley Golf Course, In February 2019, the City of Southlake processed a request for proposal (RFP1901B540FC190004). An evaluation team scored the proposal and awarded the agreement to American Underwater Services, Inc.

State law provides that a local government purchasing an item under an Interlocal Agreement satisfies state laws requiring that the local government seek competitive bids for the purchase of the item. The contract has a term through March 13, 2023 with the right to renew the contract for one (1) additional one-year period or a portion thereof.

Upon City Council approval, the agreement will begin in February 2023, and end on March 13, 2023, in line with the interlocal contract term. The agreement may be renewed at the City's option for one (1) additional one-year term if the City of Southlake renews its contract. Renewal of this agreement by the City 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.

The maximum amount allowed under this agreement will be \$1,250,000.00. However, the actual amount used will be based on the need of the department and the available budget.

An administrative change order or increase may be made by the City Manager or his designee 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. A M/WBE goal is not assigned when purchasing from an approved purchasing cooperative or public entity. The agreement serves ALL COUNCIL DISTRICTS.

This project is included in the 2022 Bond Program. The City's Extendable Commercial Paper (ECP) (M&C 22-0607; Ordinance 25675-08-2022) provides liquidity to support the appropriation. Available resources will be used to actually make any interim progress payments until debt is issued. Once debt associated with a project is sold, debt proceeds will reimburse the interim financing source in accordance with the statement expressing official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance 25515-05-2022).

Funding is budgeted in Park & Recreation Department's 2022 Bond Program Fund for the purpose of funding the PARD Dredging at 4 Sites project, as appropriated.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the 2022 Bond Program Fund for the PARD Dredging @ 4 Sites project to support the approval of the above recommendation and execution of the purchase agreement. Prior to any expenditure being incurred, the Park & Recreation Department has the responsibility to validate the availability of funds.

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