

Mayor and Council Communication

DATE: 04/23/24

M&C FILE NUMBER: M&C 24-0346

LOG NAME: 22AMEND CONTRACTED CITYWIDE LITTER ABATEMENT CREWS

SUBJECT

(ALL) Authorize Execution of Amendment No. 3 to City Secretary Contract No. 58382, a Contractor Services Agreement with the Presbyterian Night Shelter of Tarrant County, Inc. in the Amount of \$727,517.60, to Continue City-Wide Litter Abatement Administered by the Environmental Services Department

RECOMMENDATION:

It is recommended that the City Council authorize the execution of Amendment No. 3 to City Secretary Contract No. 58382 with the Presbyterian Night Shelter of Tarrant County, Inc. to increase the annual amount of this contractor services agreement by \$727,517.60 for a revised contract amount of \$2,642,037.60 for city-wide litter abatement administered by the Environmental Services Department.

DISCUSSION:

In August 2022, the City of Fort Worth issued a Request for Proposal (RFP) to secure an annual agreement for labor, materials, and equipment to abate litter throughout the City of Fort Worth with an annual amount of up to \$1,914,520.00. The Presbyterian Night Shelter of Tarrant County, Inc., through its UpSpire program, was awarded the RFP to fulfill these services. This contract was executed on October 26, 2022 with approval per Mayor and Council Communication (M&C) 22-0855.

In FY23, this successful collaboration resulted in the collection of over 1.4 million pounds of litter along arterial roadways, within neighborhoods and in public areas. City-wide litter abatement crew services are necessary to protect the public health and safety of the City's residents. Environmental Services is requesting authorization to increase the annual agreement amount by \$727,517.60 for a new annual total amount not to exceed \$2,642,037.60. These funds will be allocated for Presbyterian Night Shelter staff to supplement litter cleanup in greenspaces along the highways within Fort Worth and to support litter cleanup through the City's Neighborhood Improvement Projects (NIPs). Presbyterian Night Shelter staff will continue to collect and remove litter throughout the City of Fort Worth.

Funding is budgeted in the General Operating & Maintenance category within the Environmental Protection Fund and in various capital projects within the General Capital Projects Fund for the Environmental Services Department.

AGREEMENT TERMS - The current term of this agreement will expire on October 25, 2024, with three renewal options remaining thereafter.

BUSINESS EQUITY - A waiver of the goal for Business Equity subcontracting requirements was requested, and approved by the DVIN, in accordance with the applicable Ordinance, because the purchase of goods or services is from sources where subcontracting or supplier opportunities are negligible

This amendment will not change any other agreement terms or conditions of the contract.

EXEMPT PROCUREMENT - The City Attorney's Office has determined that litter abatement may be exempt from competitive bidding under the provisions of Chapter 252 of the Texas Local Government Code as necessary to preserve or protect the public health or safety of the municipality's residents. Nevertheless, the City chose to voluntarily procure this agreement through the competitive process, as allowed, to ensure the City receives a fair and equitable contract.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current operating & capital budgets, as appropriated, in the Environmental Protection Fund and General Capital Projects Fund for the Como 21-Litter & Illegal D, HM-23 Litter Crew & Notices, SE 24-Litter Control-ES and WH-Litter Control-ES projects to support the approval of the above recommendation and execution of the amendment to the agreement. Prior to any expenditure being incurred, the Environmental Services Department has the responsibility to validate the availability of funds.

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