



## Recommendation for Action

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**File #:** 23-2054, **Agenda Item #:** 27.

6/8/2023

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### **Posting Language**

Authorize execution of a contract for erosion control items with Wolseley Investment d/b/a Ferguson Enterprises, LLC, for a term up to five years for a total contract amount not to exceed \$1,045,476.

[Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods required for this solicitation, there were no subcontracting opportunities].

### **Lead Department**

Financial Services Department.

### **Client Department(s)**

Watershed Protection Department.

### **Fiscal Note**

Funding in the amount of \$87,123 is available in the Fiscal Year 2022-2023 Operating Budget of the Watershed Protection Department. Funding for the remaining contract term is contingent upon available funding in future budgets.

### **Purchasing Language:**

The Financial Services Department issued an Invitation for Bids (IFB) 6300 MZJ1011 for these goods. The solicitation was issued on November 28, 2022, and closed on January 12, 2023. The recommended contractor submitted the only responsive offer. A complete solicitation package, including a tabulation of the bids received, is available for viewing on the City's Financial Services website, Austin Finance Online. Link:

[Solicitation Documents](#)

[https://financeonline.austintexas.gov/afo/account\\_services/solicitation/solicitation\\_details.cfm?sid=137968](https://financeonline.austintexas.gov/afo/account_services/solicitation/solicitation_details.cfm?sid=137968).

### **For More Information:**

Direct questions regarding this Recommendation for Council Action to the Financial Services Department - Central Procurement at: [FSDCentralProcurementRCAs@austintexas.gov](mailto:FSDCentralProcurementRCAs@austintexas.gov) or 512-974-2500. Respondents to the solicitation and their Agents should direct all questions to the Authorized Contact Person identified in the solicitation.

### **Additional Backup Information:**

The contract will provide a supply agreement for erosion control items for use by the Watershed Protection Department Field Operations Division for routine engineered erosion control projects, emergency stabilization where property damage caused by heavy rains require timely solutions, streambank stabilization, open waterway maintenance, and general site restoration associated with construction activities.

This contract replaces a contract that expired on March 31, 2023. Amounts were based on historical spend as well as departmental estimates of current and future needs. The recommended contractor is not the previous

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provider for these goods. The previous contractor submitted a price increase that the department could not support, and it exceeded the economic price adjustment indexes.

If a contract is not secured, the department will have to resort to procuring these goods on an as-needed basis, which may result in higher prices and longer lead times. Longer lead times may also result in a delay in the department's ability to respond to emergencies due to lack of supplies.

**Contract Detail:**

<b><u>Contract Term</u></b>	<b><u>Length of Term</u></b>	<b><u>Contract Authorization</u></b>
Initial Term	1 yr.	\$ 209,096
Optional Extension 1	1 yr.	\$ 209,095
Optional Extension 2	1 yr.	\$ 209,095
Optional Extension 3	1 yr.	\$ 209,095
Optional Extension 4	1 yr.	\$ 209,095
<b>TOTAL</b>	<b>5 yrs.</b>	<b>\$1,045,476</b>

**Note:** Contract Authorization amounts are based on the City's estimated annual usage.