



Legislation Details (With Text)

**File #:** 23-35      **Version:** 1      **Name:**

**Type:** CONSENT AGENDA      **Status:** Approved

**File created:** 10/10/2022      **In control:** Office of Procurement Services

**On agenda:** 4/12/2023      **Final action:**

**Title:** Authorize a five-year service price agreement for acquisition and distribution of replacement toilets as part of the Water Conservation Strategic Plan for the Office of Environmental Quality and Sustainability - Ferguson Enterprises, Inc., most advantageous proposer of two - Estimated amount of \$1,262,395.30 - Financing: General Fund (subject to annual appropriations)

**Sponsors:**

**Indexes:** 100

**Code sections:**

**Attachments:** 1. Resolution

Date	Ver.	Action By	Action	Result
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**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** April 12, 2023

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

**SUBJECT**

Authorize a five-year service price agreement for acquisition and distribution of replacement toilets as part of the Water Conservation Strategic Plan for the Office of Environmental Quality and Sustainability - Ferguson Enterprises, Inc., most advantageous proposer of two - Estimated amount of \$1,262,395.30 - Financing: General Fund (subject to annual appropriations)

**BACKGROUND**

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement will provide for the purchase and distribution of replacement residential style high efficiency (1.28 gallons or less per flush) toilets as part of the Water Conservation Strategic Plan. Through this contract the City will offer residents high efficiency toilets to replace older models

which require greater water volume to operate. The program is available to qualified Water Utilities' single and multi-family residential customers requesting to participate in the "New Throne for Your Home" program or the low-income Minor Plumbing Repair program. This program is anticipated to distribute approximately 3,000 toilets annually.

A six-member committee from the following departments reviewed and evaluated the qualifications:

- Department of Sanitation Services (1)
- Office of Environmental Quality and Sustainability (2)
- Water Utilities Department (2)
- Office of Procurement Services (1)\*

\*The Office of Procurement Services evaluated cost and local preference, if applicable.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 35 points
- Experience 30 points
- Quality of Products Proposed per specifications 10 points
- Proposed Hours of Operations, Warehousing & Distributions locations 5 points
- Method of Invoicing 5 points
- Local Preference 5 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The calculated living wage during the solicitation process of this contract is \$15.21; the selected vendor meets this requirement.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
General Fund	\$300,000.00	\$300,000.00	\$662,395.30

**M/WBE INFORMATION**

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

<b>Contract Amount</b>	<b>Procurement Category</b>	<b>M/WBE Goal</b>
\$1,262,395.30	Other Services	N/A
<b>M/WBE Subcontracting %</b>	<b>M/WBE Overall %</b>	<b>M/WBE Overall Participation \$</b>
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>• The Business Inclusion and Development Policy does not apply to Other Service contracts.</li> <li>• Ferguson Enterprises, Inc. - Non-local; Workforce - 0.00% Local</li> </ul>		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	<ul style="list-style-type: none"> <li>• Utilized for high technology procurements, insurance procurements, and other goods and services</li> <li>• Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications</li> <li>• Always involves a team evaluation</li> <li>• Allows for negotiation on contract terms, including price</li> </ul>
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The Office of Procurement Services received the following proposals from solicitation number BA22-00019743. We opened them on August 5, 2022. We recommend the City Council award this service price agreement in its entirety to the most advantageous proposer.

\*Denotes successful proposer

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>
*Ferguson Enterprises Inc.	12500 Jefferson Ave. Newport News, VA 23602	92.00
Texas Plumbing Solutions, LLC	500 East Arapaho Rd. Ste. 603 Richardson, TX 75080	Non-responsive

**OWNER**

**Ferguson Enterprises, Inc.**

Kevin Murphy, Chief Executive Officer