

AGENDA



Thursday, December 9, 2010

**Purchasing Office
RECOMMENDATION FOR COUNCIL ACTION**
Item No. 33

Subject: Authorize award, negotiation, and execution of a 12-month requirements service contract with ES&H OF TEXAS, Pasadena, TX, or the other qualified offeror to RFP No. DKC0018, to provide remediation of possible oil spills in navigable waterways in an estimated amount not to exceed \$219,359, with four 12-month extension options in an estimated amount not to exceed \$219,359 per extension option, for a total estimated contract amount not to exceed \$1,096,795.

Amount and Source of Funding: Funding in the amount of \$164,519 is available in the Fiscal Year 2010-2011 Operating Budget of Austin Energy. Funding for the remaining three months of the original contract period and extension options is contingent upon available funding in future budgets.

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

For More Information: Dolores Castillo, Sr. Buyer/512-322-6466

Purchasing Language: Best evaluated proposal of two proposals received.

MBE/WBE: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Boards and Commission Action: Recommended by the Electric Utility Commission.

This contract is for emergency oil spill removal and remediation services in waterways. Austin Energy, (AE) owns and operates power plants located on or adjacent to navigable waterways, such as Sand Hill Energy Center near the Colorado River. Although oil leaks into waterways are rare, they require specialized equipment and trained personnel for clean up and remediation. The recommended contractor is a U.S. Coast Guard-certified Oil Spill Removal Organization (OSRO) for inland water oil spills. AE is required by local, state and federal regulatory agencies to respond quickly to oil spills on waterways near power plants, to stop the spill, contain the spill, and remediate the spill to levels at or below levels set by these agencies. This contract also includes two sessions a year in which AE and AFD personnel receive training on the proper response for these types of spills.

This request allows for the development of an agreement with a qualified offeror that Council selects. If the City is unsuccessful in negotiating a satisfactory agreement with the selected offeror, negotiations will cease with that provider. Staff will return to council so that Council may select another qualified offeror and authorize contract negotiations with this provider.

MBE/ WBE Solicited: 4/8

MBE/WBE Bid: 0/0

PRICE ANALYSIS

a. Adequate competition.

b. Ninety-seven notices were sent, including four MBEs and eight WBEs. Two proposals were received, with no response from the MBE/WBEs.

APPROVAL JUSTIFICATION

- a. Best evaluated proposal.
- b. The Purchasing Office concurs with Austin Energy's recommended award.
- c. Advertised on the Internet.