



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 6

**Agenda Date:** April 6, 2023

**In Control:** City Council A Session

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**DEPARTMENT:** Finance Department

**DEPARTMENT HEAD:** Troy Elliott

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Public Works Slurry Seal Applicator

**SUMMARY:**

This ordinance authorizes a contract with Bergkamp, Incorporated to provide one replacement slurry seal applicator for the Public Works Department for a total cost of \$369,700.00. Funding for this contract is available from the FY 2023 Equipment Renewal and Replacement Fund Budget.

**BACKGROUND INFORMATION:**

Submitted for City Council consideration and action is a proposal submitted by Bergkamp, Incorporated to provide one MaxxG MA20 slurry seal applicator with a spreader box that is mounted on a 2022 Kenworth T80 chassis. This Slurry Seal Applicator Truck will be used by the Public Works Department for its pavement preservation program. This equipment spreads a mixture of asphalt emulsion, aggregate, water, and binding additives to existing street pavement to fill voids and cracks. This treatment is a critical part of street maintenance.

This contract provides specialty street paving equipment mounted to a class 8 heavy-duty vehicle that weighs 66,000 lbs. The equipment offered by Bergkamp, Incorporated is a demo unit with

300 miles on the odometer. New equipment orders have a minimum lead time of 24 months, whereas this equipment is available now for immediate purchase to replace a 2012 Bergkamp A300 that has been grounded due to unsafe operation and is not feasible to repair. There are currently four slurry seal applicators in use by the Public Work Department. The seller offering the equipment does not have an electric option available.

The life expectancy of these replacement units is 120 months.

The City issued a Request for Offer (RFO) for “Public Works Slurry Seal Applicator” (RFO, 6100016581) on February 24, 2023, with a submission deadline of March 1, 2023. One proposal was received. Bergkamp, Incorporated is recommended for contract award based on the published bid specifications. This purchase is made in accordance with the Houston-Galveston Cooperative Program passed on Resolution 96-41-48 dated 10/10/1996. This MaxxG MA20 slurry seal applicator with a spreader box that is mounted on a 2022 Kenworth T80 chassis will be purchased from Bergkamp, Incorporated utilizing the Houston Galveston Area Council cooperative contract number SM10-20. The proposed HGAC contract will provide one slurry applicator within 30 days of receiving a purchase order.

The HGAC Cooperative Program is administered by the Houston/Galveston Cooperative. All products and services included in this cooperative were competitively bid and awarded by the Cooperative’s Board of Trustees based on Texas statutes.

The initial term of the agreement shall be for the period upon award by City Council and shall terminate upon delivery of all goods ordered.

## **ISSUE:**

This contract will provide one slurry seal applicator for the Public Works Department. This contract will ensure that the FY 2023 Streets Maintenance program is able to perform planned repairs as originally scheduled. The replacement of this equipment is consistent with the City’s Equipment Renewal and Replacement Fund Program.

The slurry seal applicator warranty provided is 12 months and the chassis warranty shall be in effect until November 3, 2024.

This purchase is classified as heavy equipment mounted to a heavy-duty chassis. Light-duty vehicles are defined as Class 1 – Class 2 vehicles weighing 10,000 lbs. and less. Medium-duty vehicles are defined as Class 3 – Class 6 vehicles weighing 10,001 - 26,000 lbs. Heavy-duty vehicles are defined as Class 7 – Class 8 vehicles weighing 26,001 and greater. A commercial driver license is required to operate heavy duty vehicles.

The Small Business Economic Development Advocacy (SBEDA) Ordinance requirements were waived due to the lack of small, minority, and/or women businesses available to provide these goods and services.

This award is an exception to the Local Preference Program.

The Veteran-Owned Small Business Preference Program does not apply to goods and supplies contracts, so no preference was applied to this contract.

**ALTERNATIVES:**

Should this contract not be approved, the Public Works Department's Street Maintenance program will be seriously impacted because only 2 of the 4 slurry applicators are operational. The proposed contract will provide one slurry applicator within 30 days of receiving a purchase order. Parts from the replaced unit will be used to repair the remaining broken unit, so that all 4 slurry applicators shall be operational. A second slurry applicator shall be low bid as part of the FY 2023 Equipment Renewal and Replacement Program and received in approximately 24 months, since there is no other slurry applicator equipment available for immediate purchase.

**FISCAL IMPACT:**

This ordinance will approve a contract with Bergkamp, Incorporated to provide one Bergkamp MAXX G Mounted on a 2022 Kenworth T80 Truck for the Public Works Department for a total cost of \$369,700.00. Funding for this contract is available from the FY 2023 Equipment Renewal and Replacement Fund Budget.

**RECOMMENDATION:**

Staff recommends approval of an ordinance for acceptance of a contract with Bergkamp, Incorporated to provide one replacement slurry seal applicator to the Public Works Department for a total cost of \$369,700.00.

This contract was procured by means of cooperative purchasing and a Contract Disclosure Form is not required.