

Subject:

Legal to AATF - Non-Competitive Purchase Agreement - laboratory testing equipment and supplies with the HACH Company.

Recommended Action:

Approval of the Non-Competitive Purchase Agreement with HACH Company (HACH) for laboratory testing equipment and supplies.

- HACH supplies the Utilities and Solid Waste Departments with testing equipment, laboratory reagents, and accessories required for routine water and wastewater testing to comply with state and federal environmental regulations; the reagents are manufactured by, and only available from HACH.
- Due to testing of public water and citizens served; consistency, accuracy and uniformity in testing are required; some of the results are regulated and reported to the Florida Department of Environmental Protection Agency. County departments have standardized their equipment and materials to HACH products for water testing.
- On January 14, 2021 the new purchase agreement under Contract No. 190-0442-N(BW) was evaluated and granted approval by the Non-Competitive Oversight Committee.
- This contract replaced contract 178-0263-SS(SP).

Contract No. 190-0442-N(BW) estimated annual expenditure of \$ 314,340.33. Total contract expenditure not to exceed \$943,020.99 during the thirty-six-month period. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Strategic Plan:

Practice Superior Environmental Stewardship

3.3 Protect and improve the quality of our water, air, and other natural resources

Deliver First Class Services to the Public and Our Customers

5.2 Be responsible stewards of the public's resource

Summary:

The HACH contract is needed to meet regulatory requirements and process control testing needs, and covers equipment, accessories, supplies and service. This contract will allow the County to purchase reagents and parts for analyzers and lab equipment currently in use, keeping the current warranties in effect.

The reagents, supplies and accessories are manufactured by, and only available from HACH. HACH does not recognize or authorize any other service organization to perform

repair or recalibration on their analyzers. HACH's factory-trained service personnel are the only people authorized to perform any repair, start-up service or maintenance. Per HACH, unauthorized repairs will result in voiding an instrument's warranty. HACH further advises that the use of non-HACH supplied parts will also result in voiding the instrument's warranty and that all parts used in HACH instruments meet their specifications and conform to their standards

Background Information:

This purchase authorization provides a mechanism for County departments to purchase laboratory instruments, safety and research supplies. Primary users include Utilities Water Quality Division and Public Works Environmental Management Division with intermittent use by Solid Waste & Safety and Emergency Services Department. HACH supplies the necessary testing equipment & laboratory supplies to support daily operations of all aforementioned end users and is crucial in maintaining the consistency, accuracy and uniformity required by the FDEP.

On January 14, 2021 the new agreement under Contract No. 190-0442-N(BW) was evaluated by the Non-Competitive Oversight Committee, a group composed of Merry Celeste, Bill Berger Jill Silverboard, Don Crowell and Kevin Knutson. Upon evaluation, the non-competitive purchase agreement was granted approval on January 14, 2021 on condition that Purchasing invite surrounding municipalities to enter in a non-competitive, co-operative contract.

On February 3, 2021 Purchasing sent information to Hernando County, Hillsborough County, City of Clearwater, City of Pinellas Park, City of Dunedin and City of Indian Shores of the intent to create the agreement and requested each entities estimated annual expenditures. On March 1, 2021 we received confirmation from Hernando County and an estimated annual expenditure of \$63,185.00.

On March 9, 2021, HACH Company stated consideration would be made to agreement's pricing with annual expenditures exceeding \$400,000.00. With the inclusion of Hernando County's annual expenditure, such an adjustment will not be considered.

Fiscal Impact:

Estimated average annual expenditure: \$ 314,340.33

Thirty-six-month total not-to-exceed: \$ 943,021.00

Funding is derived from the departments operating budgets using this contract.

Staff Member Responsible:

Megan Ross, Director, Utilities

Merry Celeste, Division Director, Purchasing and Risk Management, Administrative Services

Partners:

N/A

Attachments:

Goods Agreement

HACH Noncompete Oversight Committee Form