



# Broward County

## Legislation Details (With Text)

<b>File #:</b>	23-291	<b>Version:</b>	1
		<b>Status:</b>	Agenda Ready
		<b>In control:</b>	Public Works - Water and Wastewater Business Operations Division
<b>On agenda:</b>	3/14/2023	<b>Final action:</b>	3/14/2023
<b>Title:</b>	MOTION TO APPROVE First Amendment to Agreement No. TEC2121722A1_1 with Backflow Solutions, Inc., for subscription-based services to record, maintain, notify, and collect fees for regulatory cross connection and backflow preventer testing services (the "Agreement"), to extend the Agreement for two additional years from April 1, 2023, through March 31, 2025, and to authorize the Mayor and Clerk to execute same. (Commission Districts 2, 3, 4, 5, 6, 7, 8 and 9)		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Exhibit 1 - TEC2121722A1_1 BSI Subscription Svc Agreement, 2. Exhibit 2 - Most Reasonable Source - BSI (Approved), 3. Exhibit 3 - TEC2121722A1_1 Amendment 1		

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** Trevor M. A. Fisher

**Department:** Public Works      **Division:** Water & Wastewater Business Operations

### Information

#### Requested Action

MOTION TO APPROVE First Amendment to Agreement No. TEC2121722A1\_1 with Backflow Solutions, Inc., for subscription-based services to record, maintain, notify, and collect fees for regulatory cross connection and backflow preventer testing services (the "Agreement"), to extend the Agreement for two additional years from April 1, 2023, through March 31, 2025, and to authorize the Mayor and Clerk to execute same. **(Commission Districts 2, 3, 4, 5, 6, 7, 8 and 9)**

#### Why Action is Necessary

Broward approval is required for the referenced action.

#### What Action Accomplishes

Authorizes Mayor to execute contract amendment.

#### Is this Action Goal Related

No

#### Previous Action Taken

None

#### Summary Explanation/Background

THE PUBLIC WORKS DEPARTMENT/WATER AND WASTEWATER SERVICES BUSINESS

OPERATIONS DIVISION AND THE PURCHASING DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION

On December 1, 2020, the Broward County Board of County Commissioners: (i) designated Backflow Solutions, Inc. ("BSI"), as an only reasonable source, sole brand provider of regulatory cross connection and backflow preventer testing services; and (ii) authorized County's Director of Purchasing to negotiate and execute an agreement with BSI (Agenda Item No. 27).

On December 22, 2020, the Director of Purchasing executed the Agreement with BSI, No. TEC2121722A1\_1, with retroactive effect to April 1, 2018, for subscription-based services to record, maintain, notify, and collect fees for regulatory cross connection and backflow preventer testing services, and other related services for a maximum not-to-exceed amount of \$15,000 for the duration of the Agreement. (Exhibit 1).

BSI's services, including certification and fee collection, are critical to Broward County Water and Wastewater Services' ("WWS") operations, assisting in the management of customer compliance with the Florida Administrative Code and with Chapter 34, Article IX, Cross Connection Backflow Prevention, of the Broward County Code of Ordinances for approximately 6,000 County customers.

WWS has been utilizing these subscription-based services since 2013. WWS personnel and licensed professionals have: (i) entered all known customer backflows into BSI's system and (ii) been utilizing the BSI system for managing re-certifications, tracking compliance, and responding to public records requests.

Most recently, County's Purchasing Division issued a Request for Information ("RFI") on December 22, 2022, to determine if other entities are able to provide subscription-based services to record, maintain, notify, and collect fees for regulatory cross connection and backflow preventer testing services. There were no responses to this RFI. Based on this information, County's Director of Purchasing reaffirmed BSI as an only reasonable source, sole brand provider of these services on January 4, 2023. (Exhibit 2).

If approved, this item authorizes the Mayor to execute a First Amendment to the Agreement (Exhibit 3), which will extend the duration of the Agreement by two years through March 31, 2025, at the same annual subscription and optional services prices as the original Agreement.

This item has been reviewed and approved by the Office of the County Attorney.

**Source of Additional Information**

Jonathan K. Allen, Director, Business Operations Division, (954) 831-0747

Alan W. Garcia, P.E., Director, Water and Wastewater Services, (954) 831-0704

Trevor M. A. Fisher, P.E., MBA, Director, Public Works Department, (954) 357-6410

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

Each requirement processed against this open-end contract will be funded by the appropriate source at the time of release.