# City of Gulfport, Mississippi

# Agenda

# City Council

2309 15th Street
Gulfport, MS 39501

| Friday, August 26, 2022 | 4:00 PM | *Gulfport City Hall Council Chambers* |
| --- | --- | --- |

## 4:00 P.M.

## Declaration of Special Call Meeting

## Policy Issues

1 Request – approval of Fuel Cost Adjustment to Privatization Contract relative to July Invoice(s).

2 Request - authorization to issue a special check to H2O Innovation Operation & Maintenance, LLC, in the amount of $876,661.82 for July's Invoice(s).

## Setting of Next Meeting and Adjournment

# Memorandum – City of Gulfport

## PUBLIC WORKS & ENGINEERING

**To:** Mayor Billy Hewes and Members of the City Council

**CC:** Leonard Papania, CAO
Todd Harman, CPA, Director of Finance and Accounting
Tyler Gentry, Assistant Director of Public Works – Operations
Legal Department

**From:** Wayne E. Miller, P.E., Director of Public Works and Engineering WEM

**Date:** August 17, 2022

**RE:** **Request Fuel Cost Adjustment to Current Privatization Contract**

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The Public Works Department requests permission to allow H2O Innovation Operation & Maintenance, LLC to add $6,169.06 to the upcoming July Invoice(s) No. 4 due to a significantly higher cost for fuel. The current privatization contract allows a fuel adjustment (Section 14.16 "Significant Changes in Fuel Costs Due to Extreme Circumstances"). Using the procedure set forth in Section 14.16.1, the contractor is due an adjustment in the amount of $6,169.06 (see attached worksheet).

I recommend approval of this fuel adjustment.

Attachments:

1. Privatization Contract Fuel Adjustment Worksheet

| Back to Contents | Data 1: Gulf Coast (PADD 3) Gasoline and Diesel Retail Prices | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Sourcekey | EMM_EPMRU_PTE_R30_DPG | EMD_EPD2D_PTE_R30_DPG | | | | | | | | | | | | | | |
| Date | Gulf Coast Regular Conventional Retail Gasoline Prices (Dollars per Gallon) | Gulf Coast No 2 Diesel Retail Prices (Dollars per Gallon) | Gallons Used (Regular Conventional) | Gallons for take home outside city limits | Actual Gallons billed by H2O | Avg mpg | Threshold per contract | Difference | Cost Regular | Gallons Used (Diesel) | Gallons for take home outside city limits | Avg mpg | Threshold per contract | Difference | Cost Diesel | Total Dollar Amount Owed to H2O |
| Sep-2021 | 2.841 | 3.116 | | | | | | | | | | | | | | |
| Oct-2021 | 2.981 | 3.361 | | | | | | | | | | | | | | |
| Nov-2021 | 3.074 | 3.471 | | | | | | | | | | | | | | |
| Dec-2021 | 2.959 | 3.361 | | | | | | | | | | | | | | |
| Jan-2022 | 2.991 | 3.463 | | | | | | | | | | | | | | |
| Feb-2022 | 3.225 | 3.804 | | | | | | | | | | | | | | |
| Mar-2022 | 3.937 | 4.937 | | | | | | | | | | | | | | |
| Apr-2022 | 3.791 | 4.885 | 4509.9 | 503 | 4006.9 | 18 | $3.50 | 0.291 | **$1,166.01** | 7271.5 | 0 | 0 | $4.50 | $0.39 | **$2,799.53** | **$3,965.54** |
| May-2022 | 4.099 | 5.248 | 5182.4 | 418.98 | 4763.42 | 18 | $3.50 | 0.599 | **$2,853.29** | 7861.6 | 0 | 0 | $4.50 | $0.75 | **$5,880.48** | **$8,733.77** |
| Jun-22 | 4.562 | 5.393 | 5092.1 | 383.6 | 4708.5 | 18 | $3.50 | $1.06 | **$5,000.43** | 8889.3 | 0 | 0 | $4.50 | $0.89 | **$7,938.14** | **$12,938.57** |
| Jul-2022 | 4.111 | 5.135 | 3627.2 | 382.72 | 3244.48 | 18 | $3.50 | $0.61 | **$1,982.38** | 6593.2 | 0 | 0 | $4.50 | $0.64 | **$4,186.68** | **$6,169.06** |

Agreed on this 4th day of August, 2022

Wayne E. Miller

City of Gulfport

H2O Innovation Operation & Maintenance, LLC

h2o innovation
Trusted Utility Partners

**APPLICATION FOR PAYMENT NO. 4**
**July 31, 2022**

PO 228132

**INVOICE**

**Invoice No. 2022-07WS**
815/825-621800

**CONTRACT FOR: Professional Services Contract for Water and Sewer Maintenance and Operations for Work accomplished between July 1, 2022, and July 31, 2022**

**GULFPORT, CITY OF – WATER & SEWER DEPARTMENT**
Gulfport Public Works Department
4050 Hewes Ave.
Gulfport, MS 39507

PARTIAL
Veronica Weaver
Signature
8/4/22
Date

| | |
|---|---|
| **Contract Fee – See attached back-up** | **$497,087.50** |
| **Less Retainage – 5%** | **-24,854.38** |
| **Less May Staffing Fine** | **-$5,486.40** |
| **Add Fuel Adjustment** | **+ $3,516.36** |
| **Total Amount Due This Payment Application** | **$ 470,263.08** |

**CONTRACTOR'S Certifications:**
The undersigned CONTRACTOR certifies that: (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment numbered 0 through 4 inclusive; (2) title to all work, materials and equipment incorporated in said Work or otherwise listed in or covered by the Application for Payment will pass to OWNER at time of payment free and clear of all liens, claims, security interest and encumbrances (except such as are covered by Bond acceptable to OWNER indemnifying OWNER against any such lien, claim, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective as that term is defined in the Contract Documents.

**H2O INNOVATION, OPERATION AND MAINTENANCE, LLC, CONTRACTOR**

_______________________ Authorized Signature

Payment of the above AMOUNT DUE THIS APPLICATION is recommended

Dated: 8-4, 2022

Wayne E Mills _______________________ CITY OF GULFPORT – PUBLIC WORKS
Authorized Signature

h2O innovation
Trusted Utility Partners

**APPLICATION FOR PAYMENT NO. 4**
**July 31, 2022**

PO 228132

**INVOICE**

**Invoice No. 2022-07SD**

311-621800

**CONTRACT FOR: Professional Services Contract for Streets and Drainage Maintenance and Operations for Work accomplished between July 1, 2022, and July 31, 2022.**

**GULFPORT, CITY OF – STREETS & DRAINAGE DEPARTMENT**
Gulfport Public Works Department
4050 Hewes Ave.
Gulfport, MS 39507

PARTIAL
Veronica Weaver
Signature
8/4/22
Date

| | |
|---|---|
| **Contract Fee – See attached back-up** | **$374,995.83** |
| **Less Retainage – 5%** | **-$18,749.79** |
| **Add Fuel Adjustment** | **+$2,652.70** |
| **Total Amount Due This Payment Application** | **$358,898.74** |

**CONTRACTOR'S Certifications:**

The undersigned CONTRACTOR certifies that: (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment numbered 0 through 4 inclusive; (2) title to all work, materials and equipment incorporated in said Work or otherwise listed in or covered by the Application for Payment will pass to OWNER at time of payment free and clear of all liens, claims, security interest and encumbrances (except such as are covered by Bond acceptable to OWNER indemnifying OWNER against any such lien, claim, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective as that term is defined in the Contract Documents.

**H2O INNOVATION, OPERATION AND MAINTENANCE, LLC, CONTRACTOR**

Authorized Signature

Payment of the above AMOUNT DUE THIS APPLICATION is recommended

Dated: 8-4, 2022

Wayne Emmett **CITY OF GULFPORT – PUBLIC WORKS**
Authorized Signature

h2o innovation
Trusted Utility Partners

**APPLICATION FOR PAYMENT NO. 1**
**July 31, 2022**

PO 228132

**INVOICE**

**Invoice No. 2022-01~~WS~~ SW**

850-627100

**CONTRACT FOR: Professional Services Contract for Collection and Disposal of Trash for Work accomplished between July 1, 2022, and July 31, 2022**

**GULFPORT, CITY OF – COLLECTION AND DISPOSAL OF TRASH**
Gulfport Public Works Department
4050 Hewes Ave.
Gulfport, MS 39507

PARTIAL
Veronica Weaver
Signature
8/4/22
Date

| | |
|---|---|
| **Contract Fee – See attached back-up** | **$50,000.00** |
| **Less Retainage – 5%** | **-2,500.00** |
| **Total Amount Due This Payment Application** | **$ 47,500.00** |

**CONTRACTOR'S Certifications:**

The undersigned CONTRACTOR certifies that: (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment numbered 0 through 1 inclusive; (2) title to all work, materials and equipment incorporated in said Work or otherwise listed in or covered by the Application for Payment will pass to OWNER at time of payment free and clear of all liens, claims, security interest and encumbrances (except such as are covered by Bond acceptable to OWNER indemnifying OWNER against any such lien, claim, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective as that term is defined in the Contract Documents.

**H2O INNOVATION, OPERATION AND MAINTENANCE, LLC, CONTRACTOR**

_______________ Authorized Signature

Payment of the above AMOUNT DUE THIS APPLICATION is recommended

Dated: 8-4, 2022

_______________ CITY OF GULFPORT – PUBLIC WORKS
Authorized Signature

**City of Gulfport**
Finance & Administration Dept.
Purchasing Division
P.O. Box 1780
Gulfport, MS 39502
PH: 228.868.5705
Fax: 228.868.5704
TAX EXEMPT# 64-74-0087K
MS. CODE: 27-65-105

# Purchase Order

Fiscal Year 2022 Page 1 of 1

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase Order # 228132-00

Delivery must be made within doors of specified destination.

BILL TO

11
OPERATIONS & MAINT
4050 HEWES AVE
POC- VERONICA (228-868-5740)
GULFPORT MS 39507

VENDOR

H2O INNOVATION OPERATION AND MAINTENANCE
8900 109TH AVE NORTH
SUITE 1000
CHAMPLIN MN 55316

SHIP TO

STREETS AND DRAINAGE
4050 HEWES AVE
POC-VERONICA (228-868-5740)
GULFPORT MS 39507

| Vendor Phone Number | Vendor Fax Number | Requisition Number | Delivery Reference |
|---|---|---|---|
| 228-864-6211 | 228-863-6221 | 258424 | |

| PO Issue Date | Vendor Number | Date Required | Freight Method/Terms | Department/Location |
|---|---|---|---|---|
| 04/25/2022 | 25678 | | | Streets and Drainage |

| Item# | Description/Part No. | Qty | UOM | Unit Price | Extended Price |
|---|---|---|---|---|---|
| | The above purchase order number must appear on all invoices, packages, and shipping papers. | | | | |
| 1 | AS PER NEW CONTRACT APPROVED BY COUNCIL 2/22/22 -- STREETS & DRAINAGE MONTHLY CONTRACT COST FOR OPERATIONS AND MAINTENANCE FOR APRIL - AUGUST 2022<br>*010 -300-309-311-000-621800- $1,376,895.85* | 5.0 | MO | $275,379.170 | $1,376,895.85 |
| 2 | WATER AND SEWER MONTHLY CONTRACT COST FOR OPERATIONS AND MAINTENANCE FOR APRIL - AUGUST 2022<br>*400 -800-815-000-000-621800- $202,839.16*<br>*400 -800-825-000-000-621800- $1,622,348.34*<br>*SEE ATTACHED*<br>*SEE ATTACHED* | 5.0 | MO | $365,037.500 | $1,825,187.50 |
| | | 2022-07WS(7/31)(470,203.08)<br>2022-07SD(7/31)(358,898.74)<br>2022-01SW(7/31)(47,500-) | | | |
| | ***010 -300-309-311-000-621800- 1,376,895.85***<br>***400 -800-815-000-000-621800- 202,839.16***<br>***400 -800-825-000-000-621800- 1,622,348.34*** | | | | |
| | ① 2022-04WS (4/30) (474,493.48)<br>② 2022-04SD (4/30) (357,951.22)<br>Bal: 2,369,638.65<br>③ 2022-05WS (5/31) (471,450.65)<br>④ 2022-05SD (5/31) (360,001.56)<br>Bal: 1,538,186.44<br>⑤ 2021-RET-SD(6/13) (173,799.96)<br>⑥ 2021-RET-WS(6/13) (239,692.94)<br>Bal: 1,124,693.54<br>⑦ 2022-06WS (7/30) (473,573.06)<br>⑧ 2022-06SD (7/30) (361,809.63)<br>Bal: 289,310.85 | | | | |

By *[signature]* MP
Authorized Signature

OFFICIAL COPY

PO Total $3,202,083.35