

**City of Carson City
Agenda Report**

Date Submitted: August 21, 2015

Agenda Date Requested: September 3, 2015

Time Requested: 5 minutes

To: Mayor and Supervisors

From: Purchasing and Contracts

Subject Title: For Possible Action: To determine that PO No. 8797 is for the purchase of a sole source product from Maxwell Products and therefore not suitable for public bidding pursuant to NRS 332.115, and to approve PO No. 8797 a request to purchase Crack Sealant from Maxwell Products, Inc. for a not to exceed cost of \$125,000.00 to be funded from Public Works Street Fund Account as provided in FY 2015/2016 budget. *(Laura Tadman, LTadman@carson.org)*

Staff Summary: Due to compatibility issues with the Crack Sealer equipment utilized by the Streets Division of the Carson City Public Works Department, the new purchase order for Crack Sealant must be declared a "Sole Source" purchase for Crack Sealant as the manufacturer has the patent on the Polyskin packaging.

Type of Action Requested: (check one)

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to approve purchase order No. 8797 for the purchase of Crack Sealant from Maxwell Products, Inc. for a not to exceed cost of \$125,000.00. Pursuant to **NRS 332.115 subsection 1 (a)**, the Board of Supervisors declare that the contract is not adapted to award by competitive bidding. *(Laura Tadman, LTadman@carson.org)*

Explanation for Recommended Board Action: Pursuant to **NRS 332.115 subsection 1 (a)**, staff is requesting the Board of Supervisors declare that the contract is not adapted to award by competitive bidding.

NRS 332.115 Contracts not adapted to award by competitive bidding; purchase of equipment by local law enforcement agency, response agency or other local governmental agency; purchase of goods commonly used by hospital.

1. Contracts which by their nature are not adapted to award by competitive bidding, including contracts for:

(a) Items which may only be contracted from a sole source;

Applicable Statute, Code, Policy, Rule or Regulation: NRS 332.115 subsection 1 (a)

Fiscal Impact: \$125,000.00

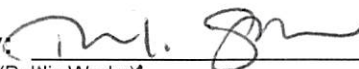
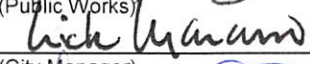


Explanation of Impact: Decrease in below referenced account in the amount of \$125,000.00.

Funding Source: Streets Fund Account - 256-3038-431-04-80 as provided in FY 2015/2016. Currently there is a balance of \$316,696.52 in this account.

Alternatives: Provide other direction pursuant to Board Action.

Supporting Material: Purchase Order No. 8797, Sole Source Letter and Price list.

Prepared By: Laura Tadman, Purchasing and Contracts Administrator

Reviewed By: <u></u>	Date: <u>8/25/15</u>
(Public Works)	
<u></u>	Date: <u>8/25/15</u>
(City Manager)	
<u></u>	Date: <u>8/25/2015</u>
(District Attorney)	
<u></u>	Date: <u>8/25/15</u>
(Finance Director)	

Board Action Taken:

Motion: _____	1) _____	Aye/Nay
	2) _____	_____

(Vote Recorded By)



PURCHASE ORDER
 CITY OF CARSON CITY
 PURCHASING & CONTRACTS
 201 NORTH CARSON ST # 3
 CARSON CITY, NV 89701

**PURCHASE
 ORDER NO.
 008797**

DATE: 8/21/2015

VENDOR PHONE: (0) -
VENDOR FAX: () -
VENDOR #: 6754
VENDOR ADDRESS: MAXWELL PRODUCTS
 650 DELONG STREET
 SALT LAKE CITY, UT 84104

SHIP TO: PUBLIC WORKS
 3505 BUTTI WAY
 CARSON CITY, NV 89701

*Our P.O. # **MUST** Appear on **ALL** Invoices, Packages and Correspondence*

DELIVER BY		REQUISITION #	REQUISITION DATE	CONFIRMED BY	
08/19/2015		0000009414	08/19/2015		
FOB		ACCOUNT NUMBER		AUTHORIZED BY	
		25630384310480		LAURA TADMAN	
ITEM #	QUANTITY/ UNIT	DESCRIPTION ARTICLE OR SERVICE		UNIT COST	EXTENDED COST

1		POLYSKIN CRACK SEAL		
	125,000.00		1.0000	125,000.00
	/ NA			

KLeet 8-21-15

TOTAL PURCHASE AMOUNT	\$125,000.00
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Send Original and One Copy of Invoice to:
PUBLIC WORKS
3505 BUTTI WAY
CARSON CITY, NV 89701

AUTHORIZED SIGNATURE _____



July 13, 2015

Tom Gordon
Warehouse Supply Coordinator – Public Works
3505 Butti Way
Carson City, NV 89701

Tom;

I am writing to advise you that there will be a price decrease for the next year (fiscal year 2015-16) on the NUVO CS C crack seal product in Polyskin packaging. The new price will be \$782.11 per ton, or \$.3910 per pound. This reflects changes in the cost of raw materials in the last year. As you know the product name was changed during the last year from Elastoflex 47 B to NUVO CS C, the product is exactly the same. In addition you have expressed interest in purchasing the Tak-less product that takes the tackiness away during the hottest time of the year. The price for this is \$.36 per pail with 36 pails on a pallet. Both these products are shown on the attached quote.

Maxwell Products was the inventor of this form of crack seal packaging. A few of our competitors did produce some for a short period of time but stopped when we obtained a patent. We are the only manufacturer who produces crack sealing product in this type of container. It has been an incredible innovation, in that it works to keep build-up in the kettle to a minimum, it is a structural rigid container so it does not deteriorate and spill off the pallet once the stretch wrap is removed. We have found that it melts very quickly once it is placed into the vat of a kettle.

You have become familiar with these features, as you have used it. We request that you consider us again for a sole source contract to supply Carson City. We commit to maintain competitive pricing and to have incredible service.

If you have any questions please call me.

Thanks

Larry Allen
Maxwell Products, Inc.
801-918-8912

\$ 125,000

SALES QUOTATION

Date: 8/6/2015

Quote # 691

Quote Info

Customer Ref No	Payment Term Net 30	Sales Rep Larry Allen Cell: 801-918-8912	Est Delivery Date N/A
Customer Carson City 3505 Butti Way Carson City, NV 89701	Delivery Address Carson City 3505 Butti Way Carson City, NV 89701 Tom Gordon 775-230-6574	Project Info Carson City	

Items

Description	Quantity	U/M	Rate	Initial
Nuvo CS C (PolySkin)	46,000	LB	0.3910	_____
Tak-Less, 5 gallon Pail	1	PAIL	36.0000	_____

Freight

Freight is included in item price

Terms

- The above price(s), specifications and conditions of initialed items are satisfactory and are hereby accepted
- Quoted prices can be accepted until 9/6/2015
- Quote is based on raw material prices for current month, price may change in subsequent months if costs significantly increase/decrease

The above price(s), specifications and conditions of initialed items are satisfactory and are hereby accepted

By: Signature: