

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION rescinding Resolution 17408, dated November 8, 2010, and awarding a contract to Bobcat Company of West Fargo, ND, for the furnishing of an E80 compact excavator with accessories for use by the Public Works, under the terms and conditions of National Joint Powers Alliance Contract No. 100907, an existing government contract, at an actual cost to the County not to exceed \$77,573.00

RESOLUTION #17464, December 13, 2010

INTRODUCED BY Bob Spence, County Legislator

WHEREAS, by Resolution 17408, dated November 8, 2010, the Legislature did award a contract to Bobcat Company of West Fargo, ND, for the furnishing of a compact excavator for use by the Road and Bridge Division of the Public Works Department under an existing government contract; and,

WHEREAS, inadvertently, the Houston-Galveston Area Council contract that was used for this award did not include this equipment; and,

WHEREAS, Bobcat has amended its quotation to utilize National Joint Powers Alliance Contract No 100907, an existing government contract which does include the desired equipment, at the same pricing; and,

WHEREAS, the Director of Public Works recommends a contract for the furnishing of this equipment to Bobcat Company of West Fargo, ND, under the terms and conditions of National Joint Powers Alliance Contract No. 100907, an existing government contract; and,

WHEREAS, the Director recommends award under section 1030.4, Jackson County Code, 1984, for the reason that this will allow the County to take advantage of discounts offered to large entities; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that award be made under the existing government contract as recommended by the Director of Finance and Purchasing and that the Director be, and is hereby, authorized to execute for the County any documents necessary for the accomplishment of the award; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and hereby is authorized to make all payments, including final payment on the contract; and,

BE IT FURTHER RESOLVED that Resolution 17408, dated November 8, 2010, be and hereby be rescinded.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

Jim P. Hahn
Chief Deputy County Counselor
Certificate of Passage

W. M. G. Snyder
Acting County Counselor

I hereby certify that the attached resolution, Resolution #17464 of December 13, 2010, was duly passed on December 13, 2010 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 6

Nays 0

Abstaining 0

Absent 3

12.13.10
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 004 1506 58110
ACCOUNT TITLE: Special Road & Bridge Fund
Road & Bridge Maintenance
Heavy Machinery & Equipment
NOT TO EXCEED: \$77,573.00

December 13, 2010
Date

Q. J. ...
Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

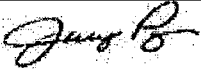
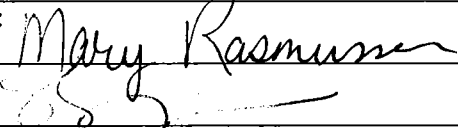
Completed by County Counselor's Office:

Res/Ord No.: 17464

Sponsor(s): Bob Spence

Date: December 13, 2010

<p>SUBJECT</p>	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Rescinding Resolution No. 17408 and re-awarding a contract for the purchase of an E80 Compact Excavator with Accessories in the amount of \$77,573.00 from Bobcat Company of West Fargo, North Dakota, under the terms and conditions of National Joint Powers Alliance (NJPA) Contract No. 100907; an existing government contract.</u></p>										
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$77,573.00</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$77,753.00</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$77,753.00</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; 004-1506-58110</td> <td></td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): N/A Prior Year Actual Amount Spent (if applicable): N/A</p>	Amount authorized by this legislation this fiscal year:	\$77,573.00	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$77,753.00	Amount budgeted for this item * (including transfers):	\$77,753.00	Source of funding (name of fund) and account code number; 004-1506-58110	
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Amount budgeted for this item * (including transfers):	\$77,753.00										
Source of funding (name of fund) and account code number; 004-1506-58110											
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): N/A Prior resolutions and (date): N/A</p>										
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Teddy Ballard, Senior Buyer, 881-3465</p>										
<p>REQUEST SUMMARY</p>	<p>On November 15, 2010, Resolution No. 17408 was passed awarding the purchase of an E80 Compact Excavator with Accessories in the amount of \$77,573.00 from Bobcat Company of West Fargo, North Dakota. Bobcat Company quoted the equipment using HGAC Contract pricing which did not include this equipment. Bobcat Company has changed their quotation using the National Joint Powers Alliance Contract. Pricing remains the same.</p> <p>The Road & Bridge Division of the Public Works Department is requesting Resolution No. 17408 be rescinded, accept the new quotation from Bobcat Company, and approve the purchase utilizing Bobcat Company's contract through the National Joint Powers Alliance.</p> <p>Pursuant to Section 1030.4 of the Jackson County Code 1984, the Director of Finance and Purchasing recommends the purchase E80 Compact Excavator with Accessories in the amount of \$77,573.00 from Bobcat Company of West Fargo, North Dakota, under the Terms and Conditions set forth in the following existing government contract:</p> <table> <tr> <td>Recommended Vendor Bobcat Company West Fargo, ND</td> <td>Contract Number National Joint Power Alliance Contract No. 100907</td> </tr> </table>	Recommended Vendor Bobcat Company West Fargo, ND	Contract Number National Joint Power Alliance Contract No. 100907								
Recommended Vendor Bobcat Company West Fargo, ND	Contract Number National Joint Power Alliance Contract No. 100907										

CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	Resolution No. 17408, Email Explanation, and New Quotation from Bobcat Company	
REVIEW	Department Director: 	Date: 12/10/10
	Finance (Budget Approval): <i>If applicable</i>	Date: 12/13/10
	Division Manager: 	Date: 12/13/10
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

FUND:	Special Road & Bridge	004
DEPT:	Road & Bridge Maintenance	1506
OBJECT:	Heavy Machinery & Equipment	58110
AMOUNT NOT TO EXCEED:		\$77,573.00
FUND:		
DEPT:		
OBJECT:		
AMOUNT NOT TO EXCEED:		

- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

FUND:		
DEPT:		
OBJECT:		
AMOUNT NOT TO EXCEED:		

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.
- Funds sufficient for this expenditure are subject to appropriation in the 2011 annual budget.



JACKSON COUNTY, MISSOURI
 PURCHASING DEPARTMENT
 415 EAST 12TH STREET
 KANSAS CITY, MISSOURI 64106-2706
 (816) 881-3267
 FAX: (816) 881-3268

PURCHASE ORDER	
This number must appear on all packing slips, shipping documents, packages and invoices.	
PO-1506-017749	
Page Number 1 OF 1	Purchasing Order Date 11/23/2010

Ship-to: ROAD & BRIDGE MAINT. FACILITY
 34900 OLD US 40 HIGHWAY
 OAK GROVE, MO 64075

FEDERAL TAX EXEMPT NO. 43-91-0217K
 STATE SALES TAX EXEMPT SEC.30 (10)
 ARTICLE 3, MISSOURI CONSTITUTION
 MISSOURI TAX I.D. 12495671

Vendor: BOBCAT COMPANY
 250 EAST BEATON DRIVE
 CHICAGO, SD 58078

DELIVERY DATE: 11/30/2010

DELIVERY HOURS - MON TO FRI 8:00 AM - 4:00 PM

BUYER / PHONE NUMBER		ACCOUNT CODES		REQUESTED BY	
Teddy N. Ballard 816-881-3465					
BID #	F.O.B.	DELIVERY	REQ. NO.#		
			RE-156703-000		
Line No	QUANTITY - U/M	DESCRIPTION	PRICE/UNIT	EXTENSION	
1	1 EA	VEHICLES: TRAILERS e80 mini-excavator w/48" & 24" buckets & thumb, per quote cms-12654, fds initiated as transfer on rla 004-1506-58110-999-9999-9999-10	2,500.000	2,500.00	
2	1 EA	VEHICLES: TRAILERS MINI EXCAVATOR PER QUOTE CMS-12654 004-1506-58110-999-9999-9999-10 DELIVERY DEALER: K.C. Bobcat, 2209 West 40 Highway, Blue Springs, MO 64015. This Purchase Order is issued under Section 1030.4 of Chapter 10 of the Jackson County Code. County Resolution No: 17408. HGAC Contract No. EM06-09.	75,073.000	75,073.00	
			Total:	77,573.00	

COPY

COPY

I CERTIFY THAT THERE IS A BALANCE OTHERWISE UNENCUMBERED TO THE CREDIT OF THE APPROPRIATION TO WHICH THIS REQUEST IS CHARGABLE, AND A CASH BALANCE OTHERWISE UNENCUMBERED IN THE TREASURY TO THE CREDIT OF THE FUND FROM WHICH PAYMENT IS TO BE MADE, EACH SUFFICIENT TO MEET THE OBLIGATORY HEREBY AUTHORIZED.

Please Render Invoices To: ROAD & BRIDGE MAINT. FACILITY

P.O. BOX 160
 GRAIN VALLEY, MO 64029

Contact: Kaye Merkle
 Phone: 816-847-7071

[Signature]
 DIRECTOR OF FINANCE / PURCHASING

Teddy Ballard

From: Rita Parker [rita.parker@kcrpc.com]
Sent: Friday, December 10, 2010 2:51 PM
To: Teddy Ballard
Subject: PO-1506-017749 for Bobcat Quote No: CMS-12654

Attachments: Quote - Jackson County - rev under NJPA contract E80 - CMS-13065.pdf



Quote -
on County - re

Teddy,

I have bad & good news for you -

1. Bad news is that Crystal at Bobcat made error in quoting, as the E80 mini-excavators were not included on H-GACBuy contract. This was not discovered until H-GACBuy did final review and would not approve the purchase. She further explained they "cannot give HGAC two discounts on excavators - some of our excavators we have at 30% off SLP and the two big excavators - E60 and E80 we have at a 24% off SLP. NJPA contract we can list them at two different discounts" (but can only list one discount on H-GACBuy).
2. Good news - The excavators are on the National Joint Powers Alliance contract at the same pricing, and appears Jackson County is a member of NJPA (member #30910). Crystal redid your quote under NJPA and copy is attached.

I apologize for this error on behalf of Crystal.

Thank you, Rita

-----Original Message-----

From: Teddy Ballard [mailto:TBallard@jacksongov.org]
Sent: Wednesday, November 24, 2010 8:18 AM
To: 'crystal_stram@bobcat.com'; 'jeffo@kcbobcat.com'
Cc: Kaye Merkle; Rita Parker
Subject: PO-1506-017749 for Quote No: CMS-12654

See attached.

Teddy Ballard, CPPB
Jackson County, Missouri
Purchasing Department
415 East 12th Street, Room G1
Kansas City, MO 64106
(816) 881-3465 - phone
(816) 881-3268 - fax
tballard@jacksongov.org

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION transferring \$75,073.00 within the 2010 Special Road and Bridge Fund and awarding a contract for the furnishing of an E80 compact excavator with accessories for use by the Public Works Department to Bobcat Company of West Fargo, ND, under the terms and conditions of Houston-Galveston Area Council Contract No. EM06-09, an existing government contract, at an actual cost to the County not to exceed \$77,573.00.

RESOLUTION #17408, November 8, 2010

INTRODUCED BY Bob Spence, County Legislator

WHEREAS, the Road and Bridge Division of the Public Works Department has a need for a compact excavator to be used for culvert replacement, repair, cleaning, ditching, asphalt patching, and earth moving projects; and,

WHEREAS, the Director of Finance and Purchasing recommends the award of a contract for the furnishing of this equipment to Bobcat Company of West Fargo, ND, under the terms and conditions of Houston-Galveston Area Council Contract No. EM06-09, an existing government contract; and,

WHEREAS, the Director recommends award under section 1030.4, Jackson County Code, 1984, for the reason that this will allow the County to take advantage of discounts offered to large entities; and,

WHEREAS, a transfer is necessary to place the required funds in the proper spending

WHEREAS, the County Executive recommends this transfer; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the following transfer be made within the 2010 Special Road and Bridge Fund:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Road & Bridge Fund			
004-1506	56420 - Electricity	\$15,000	
004-1506	58510 - Maint. & Repair-Bldgs	\$15,000	
004-1506	56670 - Rent - Misc.	\$ 7,073	
004-1506	57110 - Gasoline	\$20,000	
004-1506	58060 - Other Improvements	\$18,000	
004-1506	58110 - Heavy Machinery & Equip.		\$75,073

and,

BE IT FURTHER RESOLVED by the County Legislature of Jackson County, Missouri, that award be made under the existing government contract as recommended by the Director of Finance and Purchasing and that the Director be, and is hereby, authorized to execute for the County any documents necessary for the accomplishment of the award; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and hereby is authorized to make all payments, including final payment on the contract.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:


Chief Deputy County Counselor


Acting County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17408 of November 8, 2010, was duly passed on November 15, 2010 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9 Nays 0
Abstaining 0 Absent 0

11.15.10
Date


Mary Jo Spino, Clerk of Legislature

Funds sufficient for this transfer are available from the sources indicated below.

ACCOUNT NUMBER: 004 1506 56420
ACCOUNT TITLE: Special Road & Bridge Fund
Road & Bridge Maintenance
Electricity
NOT TO EXCEED: \$15,000.00

ACCOUNT NUMBER: 004 1506 56510
ACCOUNT TITLE: Special Road & Bridge Fund
Road & Bridge Maintenance
Maint & Repair - Buildings
NOT TO EXCEED: \$15,000.00

ACCOUNT NUMBER: 004 1506 56670
ACCOUNT TITLE: Special Road & Bridge Fund
Road & Bridge Maintenance
Rent - Miscellaneous
NOT TO EXCEED: \$ 7,073.00

ACCOUNT NUMBER: 004 1506 57110
ACCOUNT TITLE: Special Road & Bridge Fund
Road & Bridge Maintenance
Gasoline
NOT TO EXCEED: \$20,000.00

ACCOUNT NUMBER: 004 1506 8060
ACCOUNT TITLE: Special Road & Bridge Fund
Road & Bridge Maintenance
Other Improvement
NOT TO EXCEED: \$18,000.00

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 004 1506 58110
ACCOUNT TITLE: Special Road & Bridge Fund
Road & Bridge Maintenance
Heavy Machinery & Equipment
NOT TO EXCEED: \$77,573.00

November 3, 2010
Date


Director of Finance and Purchasing

Teddy Ballard

From: Jay D. Haden
Sent: Friday, December 10, 2010 4:59 PM
To: Teddy Ballard
Cc: Tedi H. Rowland; Jessica L. Lee
Subject: RE: PO-1506-017749 for Bobcat Quote No: CMS-12654

Teddy:

We have the resolution drafted. Recommend you pick up the RLA from Jessica Lee's desk first thing Monday am and walk it through Finance and Shelley.

Jay D. Haden
Chief Deputy County Counselor
Jackson County, Missouri
Direct Dial (816) 881-3150
Fax (816) 881-3398

-----Original Message-----

From: Teddy Ballard
Sent: Friday, December 10, 2010 3:33 PM
To: Jay D. Haden
Subject: RE: PO-1506-017749 for Bobcat Quote No: CMS-12654

In one RLA?

-----Original Message-----

From: Jay D. Haden
Sent: Friday, December 10, 2010 3:33 PM
To: Teddy Ballard
Cc: Troy Thomas; Scott J. Jacoby; Barbara J. Casamento; Jerry Page; Kaye Merkle; Gwendolyn Cogshell; Tedi H. Rowland
Subject: RE: PO-1506-017749 for Bobcat Quote No: CMS-12654

Yes, rescind the old one and enact the new one. If we work fast on this we can have it for an add-on on Monday. Otherwise, we wait until next year.

Jay D. Haden
Chief Deputy County Counselor
Jackson County, Missouri
Direct Dial (816) 881-3150
Fax (816) 881-3398

-----Original Message-----

From: Teddy Ballard
Sent: Friday, December 10, 2010 3:07 PM
To: Jay D. Haden
Cc: Troy Thomas; Scott J. Jacoby; Barbara J. Casamento; Jerry Page; Kaye Merkle; Gwendolyn Cogshell
Subject: FW: PO-1506-017749 for Bobcat Quote No: CMS-12654

Jay,

I rec'd the email below regarding our Resolution No. 17408, purchase mini excavator with accessories via an HGAC Contract. Bobcat does not have this piece of equipment on their contract with HGAC.

However, they do have a contract on this equipment with NJPA (another buying org).

Bobcat has NOT contacted me. Rita Parker from our local buying org, KCRPC, sent this email. They monitor all purchases thru any HGAC Contracts.

How do you recommend I proceed? A new RLA requesting to withdraw the original resolution and request approval of the purchase under the other buying org?

Are we out of time to handle this now?

Please advise.

Teddy
Ext 13465

-----Original Message-----

From: Rita Parker [mailto:rita.parker@kcrpc.com]
Sent: Friday, December 10, 2010 2:51 PM
To: Teddy Ballard
Subject: PO-1506-017749 for Bobcat Quote No: CMS-12654

Teddy,

I have bad & good news for you -

1. Bad news is that Crystal at Bobcat made error in quoting, as the E80 mini-excavators were not included on H-GACBuy contract. This was not discovered until H-GACBuy did final review and would not approve the purchase. She further explained they "cannot give HGAC two discounts on excavators - some of our excavators we have at 30% off SLP and the two big excavators - E60 and E80 we have at a 24% off SLP. NJPA contract we can list them at two different discounts" (but can only list one discount on H-GACBuy).
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See attached.

Teddy Ballard, CPPB
Jackson County, Missouri
Purchasing Department
415 East 12th Street, Room G1
Kansas City, MO 64106
(816) 881-3465 - phone
(816) 881-3268 - fax
tballard@jacksongov.org