

# REQUEST FOR LEGISLATIVE ACTION

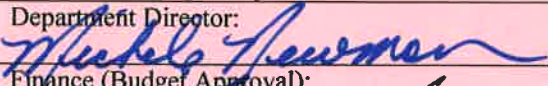
Completed by County Counselor's Office:

Res./Ord No.: 19549

Sponsor(s): Tony Miller

Date: August 7, 2017

<b>SUBJECT</b>	<p>Action Requested</p> <p><input checked="" type="checkbox"/> Resolution</p> <p><input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Awarding a Twelve-Month Month Term and Supply Contract Extension for the furnishing of Concession Products for use by Parks + Rec Department to U.S. Foods of Chicago, Illinois under the Terms and Conditions of U.S. Communities Contract No. 13924, an existing competitively bid government contract.</u></p>														
<b>BUDGET INFORMATION</b> <i>To be completed By Requesting Department and Finance</i>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right; padding: 2px;">\$</td> </tr> <tr> <td style="padding: 2px;">Amount previously authorized this fiscal year:</td> <td style="text-align: right; padding: 2px;">\$</td> </tr> <tr> <td style="padding: 2px;">Total amount authorized after this legislative action:</td> <td style="text-align: right; padding: 2px;">\$</td> </tr> <tr> <td style="padding: 2px;">Amount budgeted for this item * (including transfers):</td> <td style="text-align: right; padding: 2px;">\$</td> </tr> <tr> <td style="padding: 2px;">Source of funding (name of fund) and account code number:</td> <td style="padding: 2px;"></td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p><b>OTHER FINANCIAL INFORMATION:</b></p> <p><input type="checkbox"/> No budget impact (no fiscal note required)</p> <p><input checked="" type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="padding: 2px;">Department</th> <th style="padding: 2px;">Estimated Annual Use</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Parks + Rec</td> <td style="text-align: right; padding: 2px;">\$59,200.00</td> </tr> </tbody> </table> <p>This RLA only approves the term and supply contract. The funds were appropriated through the annual budget adoption. Figures included in the Budget Information section are for information purposes to provide an estimate of the contract value.</p> <p>Prior Year Budget (if applicable): \$55,000.00            Prior Year Actual Amount Spent (if applicable): \$54,585.00</p>	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number:		Department	Estimated Annual Use	Parks + Rec	\$59,200.00
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Department	Estimated Annual Use														
Parks + Rec	\$59,200.00														
<b>PRIOR LEGISLATION</b>	<p>Prior ordinances and (date):</p> <p>Prior resolutions and (date): 18803, April 27, 2015</p>														
<b>CONTACT INFORMATION</b>	<p>RLA drafted by (name, title, &amp; phone): Kyle Brack, Sr. Buyer, 881-3265</p>														
<b>REQUEST SUMMARY</b>	<p>Parks + Rec Department requires a Term &amp; Supply Contract for the furnishing of Food Products and Related Supplies (paper products, candy, snacks, deli sandwiches, chips, meats &amp; cheeses, condiments, and juices) for resale at its concessions operations.</p> <p>Pursuant to Section 1030.4 of the Jackson County Code, the Chief Financial Officer recommends the award of a Twelve-Month Term and Supply Contract for the furnishing of Food Products and Related Supplies for use by the Parks + Rec Department to U.S. Foods of Chicago, Illinois under the Terms and Conditions set forth in U.S. Communities Contract No. 13924, a competitively bid government contract. North Carolina State University and U.S. Foods mutually extended Contract No. 13924 for another twelve months. Therefore, the Terms &amp; Conditions and pricing will remain the same, as detailed in previous Resolution No. 18803.</p> <p>The Chief Financial Officer recommends the purchases under this contract due to higher volume discounts to larger government entities.</p> <p>This award is made on an "as needed" basis and does not obligate Jackson County, Missouri to pay any specific amount. The availability of funds for specific purchases is subject to annual appropriation.</p>														

CLEARANCE	<input checked="" type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input checked="" type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office) n/a	
ATTACHMENTS	Pertinent pages of the U.S. Communities Contract No. 13924, Recommendations from Parks + Rec Department, and pertinent pages of previous RLA no. 18803	
REVIEW	Department Director:	Date:
	 Finance (Budget Approval): <i>If applicable</i>	Date: 7-26-17
	Division Manager:	Date:
	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.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance #
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	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.

STATE OF NORTH CAROLINA  
WAKE COUNTY

Rev. 10/12

**CONTRACT AMENDMENT # 3**  
**NC State Contract Control #13924-3**

This contract amendment is made and entered into this the 12<sup>th</sup> day of FEBRUARY, 2017, by and between Provider Select, LLC., 13034 Ballantyne Corporate Place, Charlotte, NC 28277 (hereinafter referred to as "Contractor"), and NORTH CAROLINA STATE UNIVERSITY, c/o University Dining, Attn: Randy Lait, Campus Box 7307, Raleigh, NC, 27695-7307 (hereinafter referred to as "NC State");

WHEREAS, NC State and the Contractor have entered an agreement dated December 1, 2010, (hereafter, the "Contract"), for the Contractor to provide NC State's food services program. A copy of the Contract is attached and made a part of this Amendment;

WHEREAS, the parties hereto desire to reduce the terms of this amendment to writing;

THEREFORE, for and in consideration of the mutual promises to each other, as hereinafter set forth, the parties hereto do mutually agree to amend the Contract, as follows:

1. **Assignment.** Notwithstanding Section 10 of the Agreement, (1) Contractor hereby assigns all of its rights, title, interest, responsibilities and obligations under the Agreement to Premier Healthcare, and Premier Healthcare hereby accepts such rights, title, interest, responsibilities and obligations under the Agreement, and (2) NC State hereby consents to such assignment.
2. **Parties.** As of the Amendment Effective Date, Contractor will no longer be a party to the Agreement, and all references to "Provider Select, LLC" in the Agreement shall be deemed to be replaced with "Premier Healthcare Alliance, L.P."
3. NC State hereby exercises its option to extend this agreement for the **final option year; July 1, 2017 – June 30, 2018.**
4. Except as modified by this Amendment, all provisions in the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF NC State and the Contractor have executed this amendment in duplicate originals one of which is retained by each of the parties the day and year first written above.

NORTH CAROLINA STATE UNIVERSITY  
c/o University Dining

PREMIER HEALTHCARE ALLIANCE L P

Recommended by:

Authorized by:

Randy Lail  
Randy Lail Project Coordinator

By: Jon Garrett

Date Oct 13 2016

Name Jon Garrett

Authorized by: Scott R Douglas

Title Vice President

Name: Scott R Douglas  
Vice Chancellor, Finance and Business

Date 10 17 2016

Date 11 15 2016

PROVIDER SELECT, LLC

By: Jon Garrett

Name: JON GARRETT

Title: VICE PRESIDENT

Date: 2/12/17



**PURCHASING DEPARTMENT**

415 East 12<sup>th</sup> Street  
Kansas City, Missouri 64106

816-881-3265  
Fax 816-881-3268

**DISPOSITION OF TERM & SUPPLY CONTRACT MEMORANDUM**

TO: **Bob McMillin, Parks + Rec**  
Tina Spallo, Parks + Rec

FROM: Kyle Brack, Senior Buyer, Purchasing *(KB)*

DATE: June 19, 2017

RE: US Foods Contract No. 13924 (via US Communities)  
Food Products and Related Supplies

The above referenced Term & Supply Contract is set to expire 6/30/17. There is one (1) extension available.

Please review the specifications and advise me of the following:

- A. Extend Contract for 12 months. Department needs service.
- B. Rebid with attached changes.
- C. Rebid with specifications as they stand.
- D. Department does not require services of this bid.

*300-1666-57031 \$ 25,000*  
*300-1653-57031 \$ 5,000*

Total estimated amount needed for departmental use \$ \_\_\_\_\_

Please return a copy of this memorandum and any requested changes to my attention **AS SOON AS POSSIBLE**, so that appropriate action can be taken.

If you have any questions, please feel free to call me at 881-3265. Thank you.

*6/19/2017*

Attachments

*T&S,*  
*Bob*  
*ML*



## PURCHASING DEPARTMENT

415 East 12<sup>th</sup> Street  
 Kansas City, Missouri 64106

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Please review the specifications and advise me of the following:

- A. Extend Contract for 12 months. Department needs service.
- B. Rebid with attached changes.
- C. Rebid with specifications as they stand.
- D. Department does not require services of this bid.

Total estimated amount needed for departmental use \$ 300-1654-7031 - \$18,000  
300-1682-7031 - \$10,000  
003-1606-7031 - \$1,200

Please return a copy of this memorandum and any requested changes to my attention **AS SOON AS POSSIBLE**, so that appropriate action can be taken.

If you have any questions, please feel free to call me at 881-3265. Thank you.

Attachments

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** awarding a twenty-six month term and supply contract for the furnishing of certain concession items for use by the Parks + Rec Department to U.S. Foods of Chicago, IL, under the terms and conditions of U.S. Communities Contract No. 13924, an existing government contract.

**RESOLUTION NO. 18803**, April 27, 2015

**INTRODUCED BY** Frank White, Jr., County Legislator

WHEREAS, the Parks + Rec Department has a need for certain concession items that were unavailable from vendors that responded to the County's Invitation to Bid; and,

WHEREAS, the Director of Finance and Purchasing recommends the award of a contract for the furnishing of these concession items to U.S. Foods of Chicago, IL, under the terms and conditions set forth in the U.S. Communities Contract No. 13924, an existing government contract; and,

WHEREAS, pursuant to section 1030.4, Jackson County Code, 1984, the Director of Finance and Purchasing is required to submit to the Legislature for approval any purchase under an existing government contract which exceeds \$25,000.00; and,

WHEREAS, the Director of Finance and Purchasing recommends award to U.S. Foods of Chicago, IL, under the existing government contract due to the higher volume discounts and wider availability of items offered to larger entities; and,

WHEREAS, this award is made on an as needed basis and does not obligate the County



to pay any specific amount; now therefore,

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

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing is authorized to make all payments, including final payment on the contract, to the extent that sufficient appropriations to the using spending agency are contained in the then current Jackson County budget.

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

  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18803 of April 27, 2015, was duly passed on May 4, 2015 by the Jackson County Legislature. The votes thereon were as follows:


Yeas 9

Nays 0

Abstaining 0

Absent 0

May 4, 2015  
Date

  
Mary Jo Spino, Clerk of Legislature

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 is subject to annual appropriations.

April 14 2015  
Date

  
Director of Finance and Purchasing