

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

**A RESOLUTION** awarding a twenty-four month term and supply contract, with three twelve-month options to extend, for the furnishing of Case construction and heavy equipment parts and service for use by the Public Works Department to The Victor L. Phillips Company, of Kansas City, MO, under the terms and conditions of Electronic Solicitation No. BB201116.

**RESOLUTION #17606**, June 13, 2011

**INTRODUCED BY** Bob Spence, County Legislator

WHEREAS, the Public Works Department is in need of parts and maintenance for its Case construction and heavy equipment; and,

WHEREAS, the Director of Finance and Purchasing has solicited proposals for this service under Electronic Solicitation No. BB201116; and,

WHEREAS, a total of twelve notifications were distributed and the following response was received:

**BIDDER**

The Victor L. Phillips Co.  
Kansas City (Jackson County) Missouri

and,

WHEREAS, pursuant to section 1054.6 of the Jackson County Code, 1984, the Director of Finance and Purchasing recommends award to The Victor L. Phillips Co., of Kansas

City, MO, for the reason that it has submitted the lowest and best bid as, set forth in the attached recapitalization and analysis; and,

WHEREAS, this award is made on an as needed basis and does not obligate the County to pay any specific amount; now therefore,

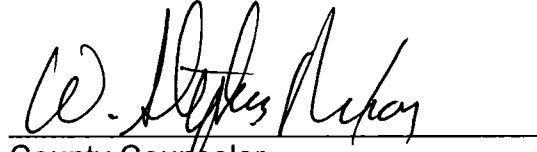
BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that award be made as recommended by the Director of Finance and Purchasing, and that the Director be, and is hereby, authorized to execute for the County any documents necessary for the accomplishment of the award.

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing is authorized to make all payments, including final payment on the contract and extensions, to the extent sufficient appropriations to the using spending agencies have heretofore been made in the 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:

  
Senior Deputy County Counselor

  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17606 of June 13, 2011 was duly passed on June 20, 2011 by the Jackson County Legislature. The votes thereon were as follows:

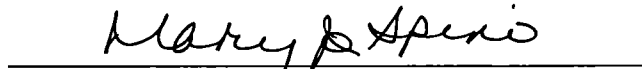
Yeas 9

Nays 0

Abstaining 0

Absent 0

6/20/11  
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.

June 7, 2011  
Date

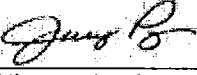
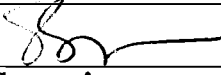
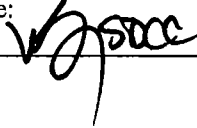
  
Director of Finance and Purchasing

# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 17606  
 Sponsor(s): Bob Spence  
 Date: June 13, 2011

<b>SUBJECT</b>	Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance  Project/Title: <u>Awarding a Twenty-Four (24) Month Term &amp; Supply Contract with Three (3) Twelve-Month Extension Options for Case Equipment: Parts and Service for the Road and Bridge Division of the Public Works Department to The Victor L. Phillips Company (Jackson County) of Kansas City, Missouri; under terms and conditions of Electronic Solicitation No. BB201116.</u>										
<b>BUDGET INFORMATION</b> <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$ N/A</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$ N/A</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$ N/A</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$ N/A</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT  TO ACCT</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)  <input checked="" type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:                  Department: Road &amp; Bridge Estimated Use: \$30,000.00</p> <p>Prior Year Budget (if applicable): \$24,000.00                  Prior Year Actual Amount Spent (if applicable): \$20,000.00</p>	Amount authorized by this legislation this fiscal year:	\$ N/A	Amount previously authorized this fiscal year:	\$ N/A	Total amount authorized after this legislative action:	\$ N/A	Amount budgeted for this item * (including transfers):	\$ N/A	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT  TO ACCT
Amount authorized by this legislation this fiscal year:	\$ N/A										
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Total amount authorized after this legislative action:	\$ N/A										
Amount budgeted for this item * (including transfers):	\$ N/A										
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT  TO ACCT										
<b>PRIOR LEGISLATION</b>	Prior ordinances and (date): N/A Prior resolutions and (date): N/A										
<b>CONTACT INFORMATION</b>	RLA drafted by (name, title, & phone): Teddy Ballard, Senior Buyer, 881-3465										
<b>REQUEST SUMMARY</b>	The Road & Bridge Division of the Public Works Department has requested a term and supply contract for maintenance for their case equipment. Purchasing issued Electronic Solicitation No. BB201116.  A total of 12 notifications were distributed. The following response was received:  <table border="0"> <tr> <td><b>BIDDER</b></td> <td><b>LABOR RATE</b></td> <td><b>PARTS DISCOUNT</b></td> </tr> <tr> <td>The Victor L. Phillips Co. (Jackson County), Kansas City</td> <td>\$105.50/hr</td> <td>10%</td> </tr> </table> <p>Pursuant to Section 1054.6 of the Jackson County Code, 1984, the Director of Finance and Purchasing recommends the award for the furnishing Case Equipment: Parts and Service for the Road and Bridge Division of the Public Works Department to The Victor L. Phillips Company (Jackson County) of Kansas City, Missouri; under terms and conditions of Electronic Solicitation No. BB201116, as the lowest and best bidder.</p> <p>This award is made on an "as needed" basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases is subject to annual appropriations.</p>	<b>BIDDER</b>	<b>LABOR RATE</b>	<b>PARTS DISCOUNT</b>	The Victor L. Phillips Co. (Jackson County), Kansas City	\$105.50/hr	10%				
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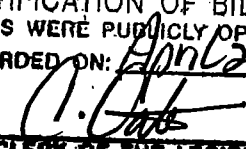
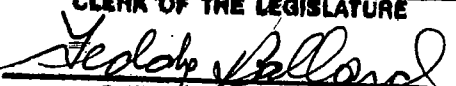
CLEARANCE	<input checked="" type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input checked="" type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	Electronic Abstract of Bids, Recommendation from Ms. Kaye Merkle of the Road & Bridge Division of the Public Works Department, and Pertinent Bid Documents from The Victor L. Phillips Co.	
REVIEW	Department Director: 	Date: 06/01/2011
	Finance (Budget Approval): If applicable <i>N/A</i>	Date: 6/1/11
	Division Manager: 	Date: 6/2/11
	County Counselor's Office: 	Date: 6/7/11

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.

Page 1 of 2  
**CERTIFICATION OF BID OPENING**  
 BIDS WERE PUBLICLY OPENED AND  
 RECORDED ON: April 26, 2011 BY  
  
**CLERK OF THE LEGISLATURE**  
  
**PURCHASING MANAGER**



Jackson County Missouri  
 Purchasing Department  
 415 East 12th Street, Room G1  
 Kansas City, MO 64106

<b>LUMP SUM Abstract of Responses for Solicitation #BB201116 - 00</b>							
Click here to attach a post award file to this solicitations header. This file will be viewable by vendors from the abstract solicitation view after award.							
Solicitation Optional Title:			Case Equipment: Parts & Service				
NIGP Nbr: 92900			Abbreviated Desc: CASE EQUIPMENT: PARTS & SERVICE - Jackson County, Missouri is seeking bids for				
Start of Service Date	Email Date	Due Date	Solicitation Line Items			Requisition Nbr	
Mon May 16 2011 00:00:00	Fri Apr 01 2011 13:09:54	Tue Apr 26 2011 14:00:00	1 TOTAL			RR201116	
Estimated Price: 0							
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid black; padding: 2px;">Agency Attachments</div> <div style="border: 1px solid black; padding: 2px;">Line Item View</div> </div> <div style="display: flex; justify-content: space-around; align-items: center; margin-top: 5px;"> <div style="border: 1px solid black; padding: 2px;">Assign/Manage pCard</div> <div style="border: 1px solid black; padding: 2px;">Federal Excluded Parties List</div> </div> <div style="display: flex; justify-content: space-around; align-items: center; margin-top: 5px;"> <div style="border: 1px solid black; padding: 2px;">Vendor Response Tracking</div> <div style="border: 1px solid black; padding: 2px;">Bottom Of Page</div> </div>							
<b>Toggle All Switches</b>							
Award /	Price	Pymt Terms	Pymt Text	Discount Price C	LABP Price NLAB: +0	Trans Date	Trans Time
Award: C	\$1.00	0	Net 30	1.00	1.00	Tue Apr 26 2011	13:40:46
Vendor:	THE VICTOR L. PHILLIPS COMPANY P00000070238					FedID:	XX-XXXX945
						IP Addr:	208.19.96.178
Response Version:	001: 00						
Line Item Prices:	001: 1 (1.00)						
Recycle Status:	001: Not applicable						
Vendor Comments:	Item #001 Cmnt: See attached for pricing. I had to insert 1.0 in price as it wouldn't let me submit without it.						
Attached Files:	Item: 001 Jackson County.pdf						
Buyer Comments:							
Solicitation: BB201116							

A temporary Excel format document has been written. [Click here](#) to access it

[Line Item View](#)

[Print](#)

[Back](#)

[Top Of Page](#)

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- agency\_buyer\_AbstractLS Machine: prodappv5a IP: 67.52.252.218 - Tue, 26 Apr 2011  
Agency ID: A00000000004 Dept ID: AGENCY User ID: tgroat



**Teddy Ballard**

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**From:** Kaye Merkle  
**Sent:** Thursday, April 28, 2011 7:44 AM  
**To:** Teddy Ballard  
**Subject:** BB201116 Case Equipment parts & Service

Ms. Teddy, I have evaluated the referenced bid BB201116 and recommend Victor L. Phillips of Kansas City, Missouri. I am requesting \$30,000 and the funds will be utilized from the following accounts: 004-1506-56520 & 004-1506-57320.

*Kaye Merkle  
PW Road Maintenance*

A TERM AND SUPPLY CONTRACT on CASE EQUIPMENT: PARTS & SERVICE, Solicitation No. BB201116, for use by the Road & Bridge Division of the Public Works Department.

A Contract between Jackson County Missouri ("County") and the undersigned ("Contractor"), collectively referred to as the "parties". The term "offer" as used herein refers to Contractor's offer made in response to this Bid Number. The parties agree as follows in consideration of the mutual covenants contained herein.

This Contract shall be binding when it is signed by the County's Purchasing Officer and shall run from such date until the end of the 24th consecutive month from the month during which it first took effect unless it is sooner terminated in accord herewith.

This Contract consist of: (1) Contractor's offer, including those papers which Contractor submitted with or expressly incorporated in its offer as a part thereof, to the extent the terms of such papers were expressly or implied accepted by the County, or were modified in writing with the express or implied consent of the parties; (2) written modification to this Contract signed by the County's Purchasing Officer and consented to expressly or implied by Contractor. This Contract represents the entire agreement between the parties in regard to this Bid Number. All modifications to this Contract must be in writing signed by the County's Purchasing Officer.

The laws of the State of Missouri and Jackson County, Missouri govern this Contract. This Contract shall be binding upon and to the benefit of the successor and assignees of the parties. The Contractor shall not assign this Contract or any monies payable hereunder without the prior written consent of the County. Contractor is an independent contractor of the County and shall indemnify the County for loss, damage or liability which the County incurs to the extent that such results proximately from the negligence or violation of Contractor or its employees, agents or subcontractors.

In regard to any goods which are included in the sale hereunder, Contractor makes to the County the warranties provided in Article Two of the Uniform Commercial Code of the State of Missouri to the extent that they apply by the terms thereof.

The County gives each of its employees an employee identification card having thereon a photograph of the employee. The County will not pay for any goods and/or services delivered by Contractor to any persons who did not present to Contractor at the time of delivery their County Identification Cards and who were not in fact authorized to receive delivery.

The County reserves the right to terminate this Contract for any reason upon at least 14 days written notice to Contractor.

The parties may annually extend this Contract beyond its original term for a time, not to exceed 36 months, from the last day of the original term provided that the County's consent to such an extension is evidenced in writing signed by the County's Purchasing Officer and the extension does not involve changes in the specifications, terms and conditions, or increase in prices unless such changes or increases are provided for in said specifications, terms or conditions in effect at the expiration of the original term.

The County will pay to Contractor the applicable pricing quoted by Contractor in its offer for any goods and/or services whose purchase was ordered by the County's Purchasing Officer in consequence of the County's acceptance of Contractor's offer. The County will make good faith effort to make payment within thirty (30) days after the latest of: (1) the date of proper delivery to the County; (2) the date of acceptance by the County; (3) the date when the receiving department has received from the Contractor a correct and complete invoice showing the pertinent County Purchase Order Number(s). Payment may be withheld by the County to protect itself from actual or potential loss which has resulted or may result from the Contractor's non-performance of any of its duties required hereunder.

Contractor warrants that no officer or employee of the County, whether elected or appointed, shall in any manner whatsoever be interested in or receive any benefit from the profits or emoluments of this contract.

If the County awarded you the proposed Contract, would you sell under the prices and terms of this Contract to any Municipal, County, Public Utility, Hospital, or Educational Institution having membership in the Mid-America Council of Public Purchasing and located within the greater Kansas City Metropolitan Trade Area? (All deliveries are to be F.O.B. Destination and there shall be no obligation on the part of any member of such Council to utilize this Contract).

(Check one) Yes  No  Initials MT. Minimum order, if applicable \$ \_\_\_\_\_.

ALL PAGES OF THIS INVITATION TO BID ARE EXPRESSLY MADE A PART OF THIS CONTRACT. The format of this Contract has been approved by the County Counselor's Office. Signature of vendor as indicated below MUST BE COMPLETED before contract can be awarded:

CONTRACTOR'S NAME: The Victor L. Phillips Company PHONE NO: 816-241-9290  
ADDRESS: 4100 Gardner Avenue, Kansas City MO 64120 FAX NO: 816-241-1738  
NAME OF AUTHORIZED AGENT (print or type): Mark Tadlock DATE: 4/25/11  
SIGNATURE OF AUTHORIZED AGENT: [Signature] TITLE: Service Manager  
EMAIL ADDRESS OF AUTHORIZED AGENT: mtadlock@vipco.com  
FEDERAL ID NO: 44-0390945 and/or SOCIAL SECURITY NO: \_\_\_\_\_

SPECIFY: MINORITY OWNED (MBE): \_\_\_\_\_ WOMAN OWNED (WBE): \_\_\_\_\_ (Check If Applicable)

\*\*\*\*\*  
JACKSON COUNTY MISSOURI BY Q. TROY THOMAS, ACTING DIRECTOR OF FINANCE AND PURCHASING

SIGNATURE OF Q. TROY THOMAS: \_\_\_\_\_ DATE: \_\_\_\_\_

BID/PRICE SCHEDULE FOR ELECTRONIC SOLICITATION NO. BB201116  
CASE EQUIPMENT: PARTS AND SERVICE

NO	DESCRIPTION	U/M	UNIT PRICE
<b>Service</b>			
1	Labor rate regular business hours in Contractor's Shop List regular business hours: <u>7:30 - 5:30</u> List regular days of the week: <u>Monday - Friday</u>	one hour	\$105.50
2	Labor rate over time hours in Contractor's Shop List over time hours: <u>24/7</u> List overtime days of the week: <u>24/7</u>	one hour	125.00
3	Labor rate regular business hours at County's Location		115.00
4	Travel Charge per mile for service calls at County's Locations during regular hours	one mile	2.50
5	Labor rate over time hours in County's Locations	one hour	135.00
6	Travel Charge per mile for service calls at County's Locations during overtime hours	one mile	2.50

**DISCOUNT OFF LIST**

7	<b>Parts</b> <b>Ordering Parts:</b> List percentage discount you are offering from retail pricing on misc. items not listed above. <b>NOTE:</b> If more than one discount, list each discount and item type. Add additional lines where necessary to complete your bid response. a. b. c. <b>NOTE: Indicate zero or none if a discount is not being offered. Leaving the discount blank indicates a "no bid" for parts.</b>		10%
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**U/M UNIT PRICE**

8	<b>Delivery</b> Delivery charge, if any <u>-0-</u> Number of Daily Deliveries available: <u>-0-</u> Maximum delivery time: <u>-0-</u> hours	per trip	
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**Response Time**

9	Response time to County's request for service at County's location: <u>-0-</u> hours
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**Locations**

- 10 List locations of all store/shops:
- a. 4100 Gardner Avenue, Kansas City MO 64120
  - b. 5430 South Hwy. 43, Joplin, MO 64804
  - c. 6330 W. Hwy. 60, Brookline Station, MO 64619

**PLEASE NOTE:** Add additional lines where necessary to complete your bid response.

**Fill in Company Information Here:**

Company Name: The Victor L. Phillips Company

Street Address: 4100 Gardner Avenue

City, State, and Zip: Kansas City, MO 64120

BID/PRICE SCHEDULE FOR ELECTRONIC SOLICITATION NO. BB201116  
CASE EQUIPMENT: PARTS AND SERVICE

Contact Person:	Bill Esterly
Phone Number:	816-241-9290
Fax Number:	816-241-1738
Cell Number:	816-803-8351
E-Mail Address:	besterly@vlpco.com
Web Address:	www.vlpco.com