

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: General Services Agency

BOARD AGENDA # *B-15

Urgent

Routine

AGENDA DATE March 15, 2011

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval to Reject All Bids in Response to a Request for Precast Concrete Double Vaulted Restroom Buildings (Bid #11-02-TRS) for Woodward Reservoir and Approve County Purchasing Agent to Purchase Precast Concrete Double Vaulted Restroom Buildings from the California Multiple Award Schedule (CMAS) Contract Number 4-06-56-0019A

STAFF RECOMMENDATIONS:

1. Reject all bids in response to bid #11-02-TRS - Request for Precast Concrete Double Vaulted Restroom Buildings.
2. Issue a purchase order in the amount of \$462,629.16 to CXT, Inc. for the purchase of fourteen (14) Tioga Vault Toilet Buildings to be placed at Woodward Reservoir by March 31, 2011.
3. Authorize the County Purchasing Agent to sign the purchase order.
4. Authorize the Department of Parks and Recreation to retain an additional \$33,128.00 of the previously approved budgeted amount of \$527,250.00 (2011-067) for unforeseen project contingencies.

FISCAL IMPACT:

The cost of the Precast Concrete Double Vaulted restroom buildings will be funded through Public Facility Fees (PFF) monies as previously approved by the Board of Supervisors on January 25, 2011. By utilizing the CMAS program the Department will realize an approximate \$64,806.00 project cost savings.

BOARD ACTION AS FOLLOWS:

No. 2011-165

On motion of Supervisor DeMartini, Seconded by Supervisor Withrow and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Reject All Bids in response to a Request for Precast Concrete Double Vaulted Restroom Buildings (Bid #11-02-TRS) for Woodward Reservoir and Approve County Purchasing Agent to Purchase Precast Concrete Double Vaulted Restroom Buildings from the California Multiple Award Schedule (CMAS) Contract Number 4-06-56-0019A.

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DISCUSSION:

On January 25, 2011 the Board of Supervisors authorized the use of Public Facility Fees (PFF) funding in the amount of \$856,000 for the Department of Parks and Recreation (Parks Department) for several Parks related infrastructure projects. Identified in this approval was the purchase of fourteen (14) vaulted restrooms.

On January 11, 2011 the Parks Department opened a competitive bid process for the procurement of the restroom units for facilities improvements at Woodward Reservoir which closed on February 9, 2011. Three bid estimates were received during this process ranging from \$37,674.00 to \$42,325.00 per restroom unit.

In the past the Parks Department has procured vaulted restrooms from the State of California's, California Multiple Award Schedule (CMAS) Agreement, so Parks also obtained a quote for the restroom units from a Manufacturer (CXT Incorporated) who has a CMAS Agreement with the State of California. At the time the quote was provided to the County, the unit price of these vaulted restrooms was \$31,587.18. This price included delivery and installation but did not include tax. The overall cost for the 14 units is \$462,629.16 (tax included).

County procurement policy as reflected in the Agency Policies and Procedures Manual (Revision 02/27/09) states that:

“The Purchasing Agent will generally discourage any procedure other than purchasing through the competitive bidding process or RFP process for commodities or services over \$25,000.00”

However, County Code (section 2.24.060) grants the Purchasing Agent the following authority:

“Except as otherwise provided by ordinance or general law, the purchasing agent may without notice, advertisement or the securing of competitive bids or quotations, make any purchase of personal property, or do any other thing which he or she is authorized to do in this chapter....;

In addition, all bids contain language that informs vendors of the County's right to “reject all bids, as it may deem proper in its absolute discretion” (Item 8, “General Conditions and Instructions to Bidder”).

Approval to Reject All Bids in response to a Request for Precast Concrete Double Vaulted Restroom Buildings (Bid #11-02-TRS) for Woodward Reservoir and Approve County Purchasing Agent to Purchase Precast Concrete Double Vaulted Restroom Buildings from the California Multiple Award Schedule (CMAS) Contract Number 4-06-56-0019A.

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Therefore, upon review of the bid results and in light of the significant cost savings potential, General Services Agency Purchasing Agent recommends that it would be in the best interest of the County to reject all bids and purchase these items from the California Multiple Award Schedule (CMAS) contract # 4-06-56-0019A.

POLICY ISSUES:

Approval of this agenda item supports the Board of Supervisors' priorities of A Well Planned Infrastructure and Efficient Delivery of Public Services by providing a significant cost savings.

STAFFING IMPACTS:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Tom Snow Jr. Senior Buyer, GSA Purchasing
209.525.5950