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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 5 Ordinance/Resolution# 11-12-494

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of February 19, 2013
 (Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION APPROVING AN INDEFINITE QUANTITY, INDEFINITE COST CONTRACT FOR SWIMMING POOL CHEMICALS PRICE AGREEMENT FOR A FIVE (5) YEAR TERM CONDITIONED UPON ANNUAL RENEWALS AND BUDGET APPROVALS.

PURPOSE(S) OF ACTION:

Approve contract.

COUNCIL DISTRICT: ALL		
Drafter/Staff Contact: Claudia Chavez	Department/Section: Parks & Recreation/ Aquatics	Phone: 575-541-2712
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The purpose of this price agreement is to allow for the purchase of necessary chemicals for maintenance and operation standards set forth by the New Mexico Environmental Department at the City of Las Cruces pool sites.

The City received five bids, one which did not arrive by bid deadline of June 12, 2012. Four compliant bids are being recommended for the award of swimming pool chemicals price agreements. Multiple awards were the result of this solicitation due to product cost, availability, quality and local preference. The recommended vendors are Aquatic Environment Systems of Tempe, AZ; Johnston's True Value Hardware of Las Cruces, NM; Mayfield Pool Supply of El Paso, TX; Pool Tech Plus, Inc. of Las Cruces, NM; the bid details are listed within Attachment "A".

The agreements will be for a term of one (1) year with four (4) one (1) year options to renew conditioned upon approved budget appropriations. The estimated annual amount for the entire contract is \$65,000.00 including New Mexico Gross Receipts Tax. This amount is included in the Aquatic's chemical supply account for the FY13 Budget. Approximately \$20,000.00 of the \$65,000.00 has been expended for the first two (2) quarters of FY13.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Exhibit "A", Purchasing Manager's Request to Contract.
2. Attachment "A", Memo/PRD-12-382.
3. Attachment "B", Bid Tabulation.

SOURCE OF FUNDING:

Is this action already budgeted?	Yes	<input checked="" type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from: _____
	<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)	
<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.		
Does this action create any revenue?	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$_____ for FY
	No	<input checked="" type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

NA

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
General Fund	10383020-730800	\$45,073.00	\$45,073.00	\$0	Swimming pool chemicals

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the price agreement for swimming pool chemicals awarded to Aquatic Environmental Systems Inc., Johnston's True Value Hardware, Mayfield Pool Supply, and Pool Tech Plus, Inc.
2. Vote "No"; this will not approve the price agreement for swimming pool chemicals, the bid process will be repeated and the City will have no swimming pool chemicals.
3. Vote to "Amend" and provide changes required.
4. Vote to "Table" and provide staff with direction.

(Continue on additional sheets as required)

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

NA

(Continue on additional sheets as required)

RESOLUTION NO. 11-12-494

A RESOLUTION APPROVING AN INDEFINITE QUANTITY, INDEFINITE COST CONTRACT FOR SWIMMING POOL CHEMICALS PRICE AGREEMENT FOR A FIVE (5) YEAR TERM CONDITIONED UPON ANNUAL RENEWALS AND BUDGET APPROVALS.

The City Council is informed that:

WHEREAS, Recreational Water Illness (RWI) is recognized as a serious public health hazard and as vectors in the transmission of disease such as cryptosporidium; and

WHEREAS, a qualifying Request for Proposal (RFP) for Pool Chemicals was received from Aquatic Environmental Systems, Inc., Johnston's True Value Hardware, Mayfield Pool Supply and Pool Tech Plus, Inc.; and

WHEREAS, a balanced, environmentally compliant aquatic program will provide safe municipal swimming pools; and

WHEREAS, funding services is provided in the FY 2012/21013 Parks and Recreation Department budget.

NOW, THEREFORE, Be it resolved by the governing body of the City of Las Cruces:

(I)

THAT the indefinite quantity, indefinite cost price agreement for swimming pool chemicals is hereby awarded to Aquatic Environmental Systems, Inc. of Tempe, AZ; Johnston's True Value Hardware of Las Cruces, NM; Mayfield Pool Supply of El Paso, TX; Pool Tech Plus, Inc. of Las Cruces, NM; for a term of one (1) year with four (4) one (1) year options to renew conditioned upon approved budget appropriations. The estimated annual amount for the entire contract is \$65,000.00 including New Mexico

Gross Receipts Tax.

(II)

THAT the Purchasing Manager is authorized to contract with Aquatic Environmental Systems, Inc. of Tempe, AZ; Johnston's True Value Hardware of Las Cruces, NM; Mayfield Pool Supply of El Paso, TX; Pool Tech Plus, Inc. of Las Cruces, NM; as outlined in the signed Exhibit "A", Purchasing Manager's Request to Contract Form, attached hereto.

(III)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____, 2013.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

VOTE:

Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Smith: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Thomas: _____

CITY OF LAS CRUCES

PURCHASING MANAGER'S REQUEST TO CONTRACT

For Meeting of: February 19, 2013

Resolution No.: 11-12-494

**Contract Purchase For
Swimming Pool Chemicals Price Agreement**

The Las Cruces City Council is provided the following information concerning this request:

BID SOLICITATION INFORMATION:

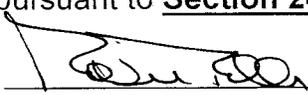
- 1. Bid Due Date: **June 13, 2012**
- 2. Description: **Swimming Pool Chemicals**
- 3. Using Department: **Parks & Recreation**
- 4. Number of Responses Solicited: **Fifty Nine / 59**
- 5. Number of Responses Received and Accepted: **Four (4)**
- 6. Recommended Award(s) To: **Aquatic Environmental Systems, Inc., of Tempe, AZ;
Johnston's True Value Hardware of Las Cruces, NM; Mayfield Pool Supply
of El Paso, TX; and Pool Tech Plus, Inc., of Las Cruces, NM**
- 7. Total Award Amount (includes any tax and contingency): **Indefinite Quantity / Cost**
- 8. Contract Duration: **Five years pending annual renewals and approved budgets**

LOCAL PREFERENCE FACTOR

Local Preference Factor Applied Per LCMC §24-100	No		LCMC §24-100 not applicable to this solicitation
	Yes	X	Made A Difference To Bid Awards(s)
		X	Made No Difference To Bid Award(s)

PROCUREMENT CODE COMPLIANCE:

The City of Las Cruces Procurement Code was administered in the conduct of this procurement and approval to purchase is hereby requested pursuant to **Section 24-91**.


 Purchasing Manager

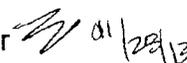
1/19/13
 Date

CONFIRMATION OF FUND ENCUMBRANCE:

REQUISITION or PURCHASE ORDER NUMBER:	VARIOUS
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TO:  Terri Del Ferraro, Buyer

FROM: Claudia Chavez, Recreation Services Manager  01/28/13

DATE: January 28, 2013

SUBJECT: Acceptance of Bid #11-12-494 Swimming Pool Chemicals Price Agreement

FILE NO. PRD-12-382

On June 13, 2012 Claudia Chavez/Recreation Services Manager and Fernie Rodriguez/Swimming Pool Maintenance Worker are recommending the award of four low bid responses received meeting specifications of the swimming pool chemicals bid. I am hereby recommending award to the vendors outlined below for a five (5) year term conditioned upon annual renewals and pending approved budgets, in the estimated annual amount of \$65,000 excluding New Mexico GRT.

Item #1, Dicalite(Granules), (@ 10.26 ea.) in the estimated annual amount of \$1,436.40 to Mayfield Pool Supply of El Paso, TX

Item #2, Celaperl, (@ \$28.99 ea.) in the estimated annual amount of \$7,537.40 and **Item #3**, Accu-Tab 3" Tablet (@ \$149.99) in the estimated annual amount of \$7,499.50 to Pool Tech Plus, LLC of Las Cruces, NM, in the annual total of \$15,036.90.

Item #4, Pulsar Plus Dry Chlorinator Briquette (@ \$110.50 ea.) in the estimated annual amount of \$22,100.00, totaling \$22,695.69, **Item #5**, Pulsar Dry Chlorinator Granular (@ \$95.00) (in the estimated annual amount of \$1,140.00, totaling \$1,226.21 and **Item #6**, Pulsar Stabilizer (@ \$94.00) in the estimated annual amount of \$1,128.00 to Aquatic Environmental Systems, Inc. of Tempe, AZ totaling \$1,213.31 for an estimated \$25,135.21

Item #7, Certol-Acid Magic (Liquid) One (1) Gallon (@9.99) in the estimated annual amount of \$3,996.00 and **Item #8**, Certol-Acid Magic (Liquid) Fifteen (15) Gallon (@ \$93.81) in the estimated annual amount of \$16,392.50 to Johnston's True Value Hardware, of Las Cruces, NM for an estimated \$20,388.50

The total estimated annual amount of \$65,000, will be funded from 1000-10383020-730800.

Thank you for your assistance. Please call 541-2712 if you have questions or comments.

cc: Mark Johnston, Parks & Recreation Director 



CITY OF LAS CRUCES PURCHASING DEPARTMENT
 ABSTRACT OF BID: SWIMMING POOL CHEMICALS PRICE AGREEMENT 11-12-494
 OPENING DATE: June 13, 2012 @ 11 a.m.

ITEM	DESCRIPTION	ESTIMATED ANNUAL USAGE	PREFERRED PACKAGING	BRAND/ORDER NO.	UNIT	PRICE	PRICE EXT	BRAND/ORDER NO.	UNIT	PRICE	PRICE EXT
1	DIATOMACEOUS EARTH (GRANULES)	140	25 LB. BAGS ONLY	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
2	CELAPERL PERLITE OR EQUAL	260	25 LB. BAGS	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
3	ACQUA-TAB CALCIUM HYPOCHLORITE (3" TABLETS) No substitutes	50	55 LB. PAIL	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
4	PULSAR PLUS DRY CHLORINATOR BRIOQUETTES No substitutes	200	50 LB. PAIL	Pulsar Plus / 30170-D	\$110.50	\$22,100.00					
5	PULSAR DRY CHLORINATOR GRANULAR No Substitutes	12	40 LB. PAIL	Pulsar 30553-D	\$95.00	\$1,140.00					
6	PULSAR STABILIZER	12	40 LB. PAIL	Pulsar 20210-D	\$94.00	\$1,128.00					
7	CERTOL - ACID MAGIC (LIQUID) No Substitutes	400	1 GALLON	NO BID	NO BID	NO BID	NO BID	Certol-Acid Magic / USA - 128-1	NO BID	\$9.49	\$3,995.00
8	CERTOL - ACID MAGIC (LIQUID) No Substitutes	200	15 GALLON CONTAINER	NO BID	NO BID	NO BID	NO BID	Certol-Acid Magic USA - 15G-1	NO BID	\$93.81	\$19,750.00
TOTAL											\$24,368.00
DELIVERY:											\$ Days
PRICES EFFECTIVE: One Year From Date of Award											\$/hr
PAYMENT TERMS:											N/A
PREFERENCE NUMBER:											

Aquatic Environmental Systems, Inc.
 1733 E. McKellips Rd. #108
 Tempe, AZ 85281
 PH: 480.947.3400
 FAX: 480.947.3414
 E-mail: rvasilaro@aes-az.com

Johnston's True Value Hardware
 10021 W. Picacho Ave.
 Las Cruces, NM 88005
 PH: 575.524.3586
 FAX: 575.526.3107
 E-mail: johnston@truevalue.net

Not Bids:
 Non-Compliant: Triple S Janitorial Supplies
 Late Submittal: Leslie's Swimming Pool Supplies, Baron Chemical Company, Inc.

Ben Lopez
 Represented by: Ben Lopez, Bid Clerk
 Verified by: Terri Del Ferraro, Buyer



CITY OF LAS CRUCES PURCHASING DEPARTMENT
 ABSTRACT OF BID: SWIMMING POOL CHEMICALS PRICE AGREEMENT 11-12-494
 OPENING DATE: June 13, 2012 @ 11 a.m.

ITEM	DESCRIPTION	ESTIMATED ANNUAL USAGE	PREFERRED PACKAGING	MAYFIELD POOL SUPPLY		POOL TECH PLUS, INC.	
				BRAND / ORDER NO.	UNIT PRICE	BRAND / ORDER NO.	UNIT PRICE
1	DIA TOMACEOUS EARTH (GRANULES)	140	25 LB. BAGS ONLY	NO BID	\$9.75	DE 25#	\$10.93
2	CELAPERL PERLITE OR EQUAL	260	25 LB. BAGS	NO BID	NO BID	CELAPERL	\$28.99
3	ACCU-TAB CALCIUM HYPOCHLORITE (3" TABLETS) No substitutes.	50	55 LB. PAIL	NO BID	NO BID	ACCU M3	\$142.49
4	PULSAR PLUS DRY CHLORINATOR BRIOQUETTES No substitutes.	200	50 LB. PAIL	NO BID	NO BID	NO BID	NO BID
5	PULSAR DRY CHLORINATOR GRANULAR No Substitutes.	12	50 LB. PAIL	NO BID	NO BID	NO BID	NO BID
6	PULSAR STABAUZER	12	40 LB. PAIL	NO BID	NO BID	NO BID	NO BID
7	CERTOL - ACID MAGIC (LIQUID) No Substitutes.	400	1 GALLON	NO BID	NO BID	NO BID	NO BID
8	CERTOL - ACID MAGIC (LIQUID) No Substitutes.	200	15 GALLON CONTAINER	NO BID	NO BID	Acid Magic	\$170.99
TOTAL				\$0.00			\$0.00
DELIVERY:				5 Days			2-3 Days
PRICES EFFECTIVE: One Year From Date of Award							
PAYMENT TERMS:				NSM			NSM
PREFERENCE NUMBER:				5% Resident			5% Local

Mayfield Pool Supply
 1516 E. San Antonio
 El Paso, TX 79901
 PH: 915.532.1483
 FAX: 915.532.8636
 E-mail: abarrie@mayfield-poolsupply.com

Pool Tech Plus, Inc.
 2331 E. Lohman
 Las Cruces, NM 88004
 PH: 575.524.4633
 FAX: 575.647.3373
 E-mail: jay@pooltechplus.com

NoBids:
 Non-Compliant: Triple S Janitorial Supplies
 Late Submittal: Leslies Swimming Pool Supplies, Baron Chemical Company, Inc.

Prepared by: *[Signature]*
 Benny Lopez, Bid Clerk
 Verified by: Terri Del Ferraro, Buyer