

W.3.E.3.

AGENDA COVER MEMO

DATE: December 12, 2007
TO: Lane County Board of Commissioners
DEPT: Public Works
PRESENTED BY: Phillip Guyette, Fleet Services Manager
AGENDA ITEM TITLE: In the Matter of Awarding a Contract to Western Power and Equipment, in the Amount of \$325,990.99, for the Purchase of Three (3), New, Rubber Tire Tractors with Mowing attachments, Contract FY07/08 FS-05.

I. MOTION

MOVE TO AWARD A CONTRACT TO WESTERN POWER AND EQUIPMENT IN THE AMOUNT OF \$325,990.99, FOR THE PURCHASE OF THREE (3), NEW, RUBBER TIRE TRACTORS WITH MOWING ATTACHMENTS, CONTRACT FY07/08 FS-05.

II. ISSUE OR PROBLEM

Shall Lane County approve awarding a contract to Western Power and Equipment for the purchase of three (3), new, rubber tire tractors with mowing attachments required by Public Works Engineering Road Maintenance Section?

III. DISCUSSION

A. Background

Lane County Department of Public Works Road Maintenance Section operates thirteen (13) rubber tire tractors with mowing attachments for the control of roadside vegetation. These machines are used to mechanically control vegetation encroaching on the roadways. These equipment units have a 10-year scheduled lifecycle.

This equipment was approved for purchase in the FY07/08 Fleet Services budget. The purchase price is within budgeted amount and sufficient funds are available for this purchase.

Vehicles and equipment are necessary to provide direct and indirect services to the citizens of Lane County, maintain County infrastructure including roads, and bridges, and to meet the health, safety, and economic good of the citizens and industries of our community as defined in Section B3.a.2 of the Strategic Plan.

B. Analysis

These new roadside mowers are capable of accepting either a side-flail mowing attachment or a boom-style mowing attachment. This flexibility will increase roadside mowing productivity in annual miles brushed per machine. In addition to increasing productivity, these mowers can be used to control overhead vegetation, minimizing the use of more expensive mowing equipment.

This equipment was competitively bid by the State of Washington Purchasing Cooperative (WSPC). As per LM 21.112B, Cooperative Procurements, the County may participate in, sponsor, conduct, or administer cooperative procurements as set forth in ORS 279A.200 through ORS 279A.225.

C. Alternatives/Options

1. Purchase the above described units from Western Power and Equipment at this time.
2. Do not purchase at this time. The existing equipment units have been in service more than 10-years and have reached the end their economic life. Increased production and lower operating costs are expected by replacing the mowers at this time.

D. Recommendation

It is recommended that the Board approve entering into a contract with Western Power and Equipment for the purchase of three (3), New, Rubber Tire Tractors with Mowing attachments, Contract FY07/08 FS-05.

E. Timing

Upon approval of the Board, a contract will be executed between Western Power and Equipment and the County Administrator.

IV. IMPLEMENTATION/FOLLOW-UP

None.

V. ATTACHMENTS

Board Order
State of Washington, Contract #08506

IN THE BOARD OF COMMISSIONERS OF LANE COUNTY
STATE OF OREGON

ORDER

(IN THE MATTER OF AWARDED A
CONTRACT TO WESTERN POWER
(AND EQUIPMENT, IN THE AMOUNT
(OF \$325,990.99, FOR THE PURCHASE
(OF THREE (3), NEW, RUBBER TIRE
(TRACTORS WITH MOWING
(ATTACHMENTS, CONTRACT
(FY07/08 FS-05.

WHEREAS, a competitive bid by the State of Washington Purchasing Cooperative (WSPC) and in accordance with LM 21.112B, Cooperative Procurements, the County may participate in, sponsor, conduct, or administer cooperative procurements as set forth in ORS 279A.200 through ORS 279A.225; for the following purchase:

Three (3), Rubber Tire Tractors with Mowing Attachments,
Contract FY07/08 FS-05

WHEREAS, this equipment was approved for purchase in the Fleet Services FY07/08 budget, sufficient funds are available for this purchase, and the price is within the budgeted amount, and

WHEREAS, the Director of the Department of Public Works recommends that the quote of \$325,990.99 submitted by Western Power and Equipment as a part of the State of Washington Purchasing Cooperative be accepted; and it is further

ORDERED that a contract be awarded to Western Power and Equipment in the amount of \$325,990.99 in accordance with the bid specifications; and it is further

ORDERED, that a contract be executed in accordance with this Order and the bid specifications and the County Administrator be authorized to sign the contract.

DATED this 12th day of December, 2007.

Faye Stewart, Chair
Lane County Board or Commissioners

APPROVED AS TO FORM

Date 11-30-07 lane county


OFFICE OF LEGAL COUNSEL

Quote
Order
Acknowledgement
Invoice To:

x

Lane County
3040 Northe Delle Highway
Eugene, OR 97408-1696



3301 N Louise Ave.,
Sioux Falls SD 57107

Attention: Phillip
Phone: 541-682-8583
Fax: 541-682-8585

Phone: 605-336-7900
Fax: 800-716-7620

Ship to: _____

Order Administrator: cputhoff@tiger-mowers.com

Dealer: _____

Order Date: _____
Customer: _____
Request Date: _____
Tiger Order: _____
Ship Date: _____

Quote Date: _____
Quote #: 638GW(Revised)
PO #: _____
Sales Rep: Gabe Wilch
Quote Prepared by: Carrie Puthoff
Priced From State Contract: WA#08506
Terms: 45 Days

Quantity	Part #	Model #	Description	2007 List Price	Dealer Net Cost	Approximate Ship Weight
2		D3085D	JD 6330 Cab 24x24, PQ (24x24 is the same as 16x16PQ Creeper) Includes: AM/FM, strobe light, back up alarm	\$108,245.00	\$188,346.30	
		TRB-50C-LRS	Boom, Rotary, 50" complete Complete w/ mounting, cable controls wheel wts, lexan glass, & freight			
2			Joystick in lieu of cable controls	\$5,750.00	\$10,000.00	
2			Legal Rear Stow in lieu of Side Stow	\$8,255.00	\$14,363.70	
2		TSF-75A	Side flail 75" attachment	\$11,597.00	\$20,178.78	
2			Combo draft beam	\$410.00	\$714.00	
2			Bonnet liner 75"	\$332.00	\$577.68	
2			Tilt switch, side flail	\$229.00	\$398.46	
2		TBF-50H	TBF-50H in lieu of TRB		\$5,550.60	

Totals

\$240,129.52

Parts/Operation Manual#: _____ Tractor Pnt #: _____ Freight Charge: _____

TRACTOR
INFORMATION

Make: _____
Model / Series: _____
Tire Sizes: _____
2WD / MFWD: _____

Cab: _____
Transmission: _____
Tractor Serial Number: _____

Notes: _____

WHEN YOU RECEIVE YOUR TIGER MANUAL MAKE SURE YOU COMPLETE THE REGISTRATION FORM AND RETURN TO TIGER PROMPTLY

ATTN DEALERS: Please review "Acknowledgement" carefully, this is confirmation of your order. All applicable blanks must be filled in, and a signature on this document is required to process this order. Send corrections to "Order Administrator" as listed above.

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1		D3085D	JD 6330 Cab 24x24, PQ (24x24 is the same as 16x16PQ Creeper) Includes: AM/FM, strobe light, back up alarm Complete w/ mounting, and freight	\$94,480.50	\$83,067.60	
		TSF-75A	Side flail 75" attachment In lieu of side rotary Hook to rear remotes	\$2,240.00	\$1,948.80	
1			Combo draft beam	\$410.00	\$357.00	
1			Bonnet liner 75"	\$332.00	\$288.84	
1			Tilt switch, side flail	\$229.00	\$199.23	

Totals

\$85,861.47

Parts/Operation Manual #: _____ Tractor Pnt #: _____ Freight Charge: _____

**TRACTOR
INFORMATION**

Make: _____
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DEALER SIGNATURE: _____

WASHINGTON STATE CONTRACT #08506

<u>Quantity</u>	<u>Model #</u>	<u>Description</u>	<u>WA Contract Price</u>
2	D3085D	JD 6330, Cab, 24x24Pwr Quad includes AM/FM, Back-up Alarm & Air conditioning	\$188,346.30
	TRB-50C LRS	TRB-50C, Tiger Rotary Boom Complete with mounting, Cable Controls, Wheel Wts, Lexan Glass and Freight	
2	TBF-50H	TBF-50H Tiger Boom Flail in lieu of Rotary Joystick in Lieu of Cable Controls	\$5,550.60 \$10,000.00
2	LRS	Legal Rear Stow in lieu of Side	\$14,363.70
2	TSF-75A	Tiger Side Flail Attachment 75" Hook to rear remotes	\$20,178.78
2		Combo Draft Beam	\$714.00
2		Bonnet Liner 75"	\$577.68
2		Tilt Switch, Side Flail	\$398.46
		Sub Total	\$240,129.52
1	D3085D	JD 6330, Cab, 24x24Pwr Quad includes AM/FM, Back-up Alarm and Air conditioning	\$83,067.60
1	TSF-75	Complete with mounting, and Freight Tiger Side Flail Attachment 75", In lieu of Side Rotary, Hook to rear remotes	\$1,948.80
1		Combo Draft Beam	\$357.00
1		Bonnet Liner 75" Side Flail	\$288.84
1		Tilt Switch, Side Flail	\$199.23
		Grand Total	\$325,990.99

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2	D3085D	JD 6330, Cab, 24x24Pwr Quad	\$188,346.30
		includes AM/FM, Back-up Alarm & Air conditioning	
	TRB-50C LRS	TRB-50C, Tiger Rotary Boom Complete with mounting,	
		Cable Controls, Wheel Wts, Lexan Glass and Freight	
2	TBF-50H	TBF-50H Tiger Boom Flail in lieu of Rotary	\$5,550.60
2		Joystick in Lieu of Cable Controls	\$10,000.00
2	LRS	Legal Rear Slow in lieu of Side	\$14,363.70
2	TSF-75A	Tiger Side Flail Attachment 75" Hook to rear remotes	\$20,178.78
2		Combo Draft Beam	\$714.00
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		Tiger Side Flail Attachment 75", In lieu of Side Rotary,	\$1,948.80
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1		Combo Draft Beam	\$357.00
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Parts/Operation Manual#: _____ Tractor Pnt #: _____ Freight Charge: _____

**TRACTOR
INFORMATION**

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Model / Series: _____
Tire Sizes: _____
2WD / MFWD: _____

Cab: _____
Transmission: _____
Tractor Serial Number: _____

Notes: _____

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DEALER SIGNATURE: _____

State of Washington
Current Contract Information
Contract Change No. 2
Effective: June 4, 2007

Contract number: 08506 (Replaces 04402) **Commodity code:** 2410, 3720, 3750

Contract title: LAWN AND GROUNDS EQUIPMENT

Purpose: Administrative Change: Update for Moridge Manufacturing Dealers- See Special Terms and Condition, Page 5, Note-1

Award date: February 1, 2007

Current period: 2/1/07 **through:** 1/31/09

Contract term: Not to exceed six years

Contract type: This contract is designated as **convenience** use.

SCOPE OF CONTRACT This contract is awarded to **multiple** contractor(s).

For use by: **General use:** All State Agencies, Political Subdivisions of Washington and Oregon State, Qualified Non-profit Corporations, Materials Management Center, Participating Institutions of Higher Education (College and Universities, Community and Technical Colleges).

Contractors: See attached

This page contains key contract features. Find detailed information on succeeding pages. For more information on this contract, or if you have any questions, please contact your local agency Purchasing Office, or you may contact our office at the numbers listed below.

Contract Specialist: Kenneth A. Woodfork, CPPB
Phone Number: (360) 902-7422
Fax Number: (360) 586-2426
Email: kwoodfo@ga.wa.gov

Assistant: Christine Schoepfer
Phone Number: (360) 902-7193
Fax Number: 360) 586-2426
Email: CSchoep@ga.wa.gov

Visit our Internet site: <http://www.ga.wa.gov/purchase>

Products/Services available:	Lawn and ground equipment
Ordering information:	Reference the attached
Ordering procedures:	Reference the attached
Related product contracts:	Not applicable

Payment address:	See attached
Order placement address:	See attached
Minimum orders:	Not applicable
Delivery time:	See attached
Payment terms:	See attached
Shipping destination:	Free On Board (FOB) supplier location, and where possible FOB, destination. See Special Terms and Condition, Page 5, Note-3, below.
Freight:	Freight prepaid and added as a separate line.
Contract Pricing:	<u>Refer to Attachment "B" below</u>

Term worth: \$10,000,000.00/2 year term estimated

Current participation:	\$0.00 MBE MBE 0%	\$0.00 WBE WBE 0%	\$10,000,000.00 OTHER OTHER 100%	\$0.00 EXEMPT EXEMPT 0%
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NOTES:

- I. Only authorized purchasers included in the State of Washington Purchasing Cooperative (WSPC) and State of Oregon Cooperative Purchasing Program (DASCPP/ORCPP) listings published and updated periodically by OSP and DAS may purchase from this contract. It is the contractor's responsibility to verify membership of these organizations prior to processing orders received under this contract. A list of Washington members is available on the Internet <http://www.ga.wa.gov/pca/cooplist.htm>, and a list of the Oregon members is available at http://tpps.das.state.or.us/purchasing/orcpp_mem.html contractors shall not process state contract orders from unauthorized users.
- II. Contract Terms: This Document includes by reference all terms and conditions published in the original **IFB**, including Standard Terms and Conditions, and Definitions, included in the Competitive Procurement Standards published by OSP (as Amended).
- III. Recognizing that a single brand or manufacture would not satisfy the needs of the state, this contract was competitively awarded for a variety of products in this contract every brand or model appearing on this contract was only awarded by manufacture to a single vendor, following the competitive process.

Prior to using this contract for a purchase, the end user should evaluate the products, pricing, and services on the contract and make a decision on the ones (s) that best fits their requirements. In each case a note to theirs files should be included communicating how their final choice selection was determined.

SPECIAL CONDITIONS:

1. This is a "catalog discount" contract, meaning that suppliers have offered a full line of various manufacturers' products, available on a statewide basis, with percentage discounts off current dated price lists in accordance with the attached spreadsheet.
2. The following categories of manufacturer's products are available:

Category	Title	Manufacturers
One	Hand Held Equipment	Cub Cadet, Echo, Honda, John Deere, Redmax, Schindaiwa, Stihl
Two	Walk Behind Equipment	Ariens, Bandit, Billygoat, Classen, Cub Cadet, Honda, John Deere, Little Wonder/Mantis, Power Trim, Rayco, Toro, Troy Built
Three	Riding Mowers-Up to 30 PTO Horsepower	Cub Cadet, Excel, Exmark, Grasshopper, John Deere, Kubota, Toro
Four	Lawn and Garden Tractors - Up to 30 PTO Horsepower	Cub Cadet, Excel, John Deere, Kubota, New Holland
Five	Equipment for Riding Mower, Lawn and Garden Tractors	Cub Cadet, Excel, Grasshopper, John Deere, Toro and White
Six	Residential Front Mower and Equipment	Excel, Exmark, Grasshopper, Hustler, Kubota, Toro
Seven	Commercial Walk-Behind Mowers and Equipment	Cub Cadet, Excel, Exmark, Honda, Hustler, John Deere, Toro
Eight	Commercial Ztrack Mowers and Equipment	Cub Cadet, Excel, Exmark, Grasshopper, Hustler, John Deere, Kubota, Toro
Nine	Commercial Front Mowers and Equipment	Excel, Exmark, Grasshopper, Hustler, Jacobsen, Jodale Perry, John Deere, Kubota, Lastec, New Holland, Toro
Ten	Commercial Wide Area Mowers	Excel, Hustler, Jacobsen, Jodale Perry, John Deere, Kubota, Lastec, Toro, Woods
Eleven	Industrial Mowers	DewEze, Excel, Hydro Select, Tiger, Universal, US Ditcher, Mower, Vrisimo, Woods
Twelve	Compact utility tractors-Up to 65 PTO Horsepower	Cub Cadet, John Deere, Kubota, New Holland, Toro
Thirteen	Equipment for Compact Utility Tractors	Cub Cadet, First Products, John Deere, Kubota, Land Pride, Lely, New Holland, Toro, Woods

Fourteen	Utility Tractors-Up to 65 PTO Horsepower	John Deere, Kubota, New Holland
Fifteen	Equipment for Utility Tractor	John Deere, Kubota, Land Pride, New Holland, Woods
Sixteen	Utility Vehicles-Up to 65 PTO Horsepower	Cub Cadet, Cushman, Jacobsen, John Deere, Kubota, Land Pride, Marathon, Toro, Woods
Seventeen	Equipment for Utility Vehicles	Cub Cadet, Jacobsen, John Deere, Kubota, Land Pride,
Eighteen	Agricultural Tractors, 2x4 and 4x4 70 to 120 PTO Horsepower	John Deere, Kubota, New Holland,
Nineteen	Agricultural equipment (Less Tractor)	John Deere, Kubota, Land Pride, New Holland, Tiger
Twenty	Golf & Turf	Bernhard, Buffalo Turbine, Cub Cadet, Dakota, First Products, Ha Industries, Jacobsen, John Deere, Lastec, Lely, Toro,
Twenty-One	Commercial Lawn Shredders And Chippers	Bandit, Bear Cat, Cub Cadet, Little Wonder, Rayco

2. Listed with links to Attachment "A" are the contractors awarded under this contract:

- [Alamo Sales Corp](#)
- [Brim Tractor Company](#)
- [Club Cadet](#)
- [Country Homes](#)
- [Horizon](#)
- [Hustler Turf Equipment](#)
- [J & I Power Equipment](#)
- [John Deere Company- A Division of Deere & Company](#)
- [Moridge Manufacturing, Inc.](#)
- [CNH America LLC – New Holland Brand](#)
- [RMT Equipment](#)
- [Tiger Corporation](#)
- [WesSpur](#)
- [Western Equipment Dist., Inc.](#)

SPECIAL TERMS AND CONDITIONS

1. Current Contract Information (CCI)

This Current Contract Information (Change Notice No. 2) provides updated dealer information for Moridge Manufacturing Inc. Moridge Manufacturing, Inc. All other terms conditions and pricing remain unchanged.

2. REPORTS

The contractor(s) must provide the following report(s) to the Office of State Procurement:

Sales and Subcontractor Report

A quarterly Sales and Subcontract Report shall be submitted in the format provided by the Office of State Procurement, which may be obtained electronically via <http://www.ga.wa.gov/pca/usage.doc>. Total purchases for each State Agency, University, Community and Technical Colleges must be shown separately. Total purchases for all political subdivisions and nonprofit organizations may be summarized as one customers. Additionally, all purchases by the State of Oregon or other purchasers must be reported as an aggregate total.

The report shall include sales information (Section A) and amounts paid to each subcontractor (if applicable) during the reporting period (Section B).

Reports should be rounded to nearest dollar. Contractors will be provided with all necessary sample forms, instructions, and lists. Reports are due thirty (30) days after the end of the calendar quarter, ie, April 30, July 31, October 31 and January 31. The one percent "administrative fee" shall be submitted to the Office of State Procurement with the quarterly usage report.

Other reports may be designed by the State Procurement Officer to obtain information needed for IFB design, contract negotiation and or other determined need.

3. EQUIPMENT DELIVERY

All equipment is to be delivered fob supplier, freight (to customer location) prepaid and added as a separate line from the specified suppliers delivery point from which the customer will receive delivery or pick-up the equipment, and where possible FOB, destination, freight prepaid and added as a separate line.

All equipment, to the extent possible and that which is considered standard to the industry, shall be delivered assembled, serviced, oiled and ready for immediate use, unless otherwise requested by the purchaser. Liability for product delivery remains with the contractor until properly delivered and accepted.

Some Purchasers may require equipment to be set-up, tested, and ready for operation prior to acceptances. Bidders are to provide cost for such in Section 3.4, Price Sheets.

4. CATALOGS AND PRICE SHEETS

Contractors shall provide catalogs and current price lists at no charge upon customer request.

5. EQUIPMENT OPERATION AND REPAIR MANUALS

All equipment shall be delivered with at least one copy of the equipment manual, to include a parts catalog or list. If other manuals are required by the customer, they shall be offered at the discount offered in the Price Sheets, Attachment "B"

6. REPAIR FACILITIES

Contractors have identified, where applicable, authorized factory repair facilities which will honor the warranty of items on contract.

7. TRADE-IN PROGRAMS

Contractors have identified, if available, their trade-in program criteria.

8. ORDERING AND INVOICING PROCEDURES

Contractors have identified specific instructions for ordering and invoicing procedures.

9. MANUFACTURER WEBSITE INFORMATION

Contractors have identified, if available, the websites for the manufacturers they are representing in this contract.

10. WARRANTY(IES)

All equipment provided under this contract shall be new and unused, of the latest model or design and of recent manufacture. Factory seconds or remanufactured equipment is not acceptable. Statement of warranty to be provided by supplier with items delivered under this contract.

11. Insurance Certificate

Insurance Certificate per requirements of Section II, Paragraph 4, General Requirements, Contractors will forward to the State Procurement Officer within fifteen (15) calendar days after receiving Notice of Award, evidence in the form of a Certificate of Insurance (attached) satisfactory to the State that insurance has been secured. Failure to provide proof of insurance as required will result in contract cancellation. Contractor shall include this contract number on returned certificate.

12. PROGRAM MANAGEMENT REIMBURSEMENT

This contract is subject to an administrative fee of one and a half percent (1.5%) of contract sales (less freight cost and trade-in value). Awarded supplier(s) will remit payment of the administrative fee on a quarterly basis when submitting the quarterly sales and subcontractor report as defined herein. Payment is to be made to Department of General Administration, Office of State Procurement, and Contract 08506 and is not to be invoiced to any contract users, either as an item on a sales invoice, or by any other means.

Any invoice issued to a user of this contract with the administrative fee included will be in dispute, and not paid until the supplier corrects it. Payment of the administrative fee will be due in conjunction with the quarterly sales and subcontractor report, delinquency in payment may be considered cause for contract termination.