

**City of Carson City  
Agenda Report**

**Date Submitted:** August 22, 2014

**Agenda Date Requested:** September 4, 2014  
**Time Requested:** 5 minutes

**To:** Mayor and Supervisors

**From:** Purchasing and Contracts

**Subject Title:** For Possible Action: To determine that PO No. 8129 is for the purchase of a product which may only be contracted from a sole source, and therefore not suitable for public bidding pursuant to NRS 332.115, and to approve PO No. 8129 a request to purchase Crack Sealant from Maxwell Products, Inc. for a not to exceed cost of \$90,000.00 to be funded from Public Works Street Fund Account – Property Services/Street Repair –256-3038-431-04-80 as provided in FY 2014/2015. (Contract File No. 1415-057) *(Kim Belt)*

**Staff Summary:** Due to compatibility issues with the Crack Sealer equipment utilized by the Streets Division of the Carson City Public Works Department, the new purchase order for Crack Sealant must be a “Sole Source” purchase for Crack Sealant as the manufacturer has the patent on the Polyskin packaging.

**Type of Action Requested:** (check one)

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

**Does This Action Require A Business Impact Statement:**  Yes  No

**Recommended Board Action:** I move to determine that PO No. 8129 is for the purchase of a product which may only be contracted from a sole source, and therefore not suitable for public bidding pursuant to NRS 332.115, and to approve PO No. 8129 a request to purchase Crack Sealant from Maxwell Products, Inc. for a not to exceed cost of \$90,000.00 to be funded from Public Works Street Fund Account – Property Services/Street Repair –256-3038-431-04-80 as provided in FY 2014/2015. (Contract File No. 1415-057) *(Kim Belt)*

**Explanation for Recommended Board Action:** Pursuant to **NRS 332.115 subsection 1 (a)**, staff is requesting the Board of Supervisors declare that the contract is not adapted to award by competitive bidding.

**NRS 332.115 Contracts not adapted to award by competitive bidding; purchase of equipment by local law enforcement agency, response agency or other local governmental agency; purchase of goods commonly used by hospital.**

1. Contracts which by their nature are not adapted to award by competitive bidding, including contracts for:

(a) Items which may only be contracted from a sole source;

**Applicable Statute, Code, Policy, Rule or Regulation:** NRS 332.115 subsection 1 (a).

**Fiscal Impact:** \$90,000.00

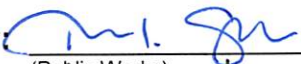
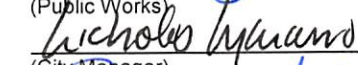
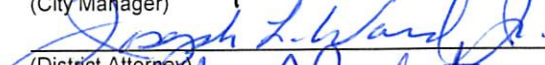

**Explanation of Impact:** Decrease in below referenced account in the amount of \$90,000.00.

**Funding Source:** Streets Fund Account - 256-3038-431-04-80 as provided in FY 2014/2015. Currently there is a balance of \$1,105,406.00 in this account.

**Alternatives:** Provide other direction pursuant to Board Action.

**Supporting Material:** Purchase Order No. 8129, Sole Source Letter.

**Prepared By:** Kim Belt, Purchasing and Contracts Manager

**Reviewed By:**  Date: 8/26/14  
(Public Works)  
 Date: 8/26/14  
(City Manager)  
 Date: 8/26/14  
(District Attorney)  
 Date: 8/26/14  
(Finance Director)

**Board Action Taken:**

Motion: \_\_\_\_\_ 1) \_\_\_\_\_ Aye/Nay  
2) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)



**BLANKET ORDER**  
**CITY OF CARSON CITY**  
**PURCHASING & CONTRACTS**  
**201 NORTH CARSON ST #11**  
**CARSON CITY, NV 89701**

<b>PURCHASE  ORDER NO.  008129</b>
--

DATE: 8/22/2014

**VENDOR PHONE:** (0) -  
**VENDOR FAX:** ( ) -  
**VENDOR #:** 6754  
**VENDOR ADDRESS:** MAXWELL PRODUCTS  
650 DELONG STREET  
SALT LAKE CITY, UT 84104

**SHIP TO:** PUBLIC WORKS  
3505 BUTTI WAY  
CARSON CITY, NV 89701

**Our P.O. # MUST Appear on ALL Invoices, Packages and Correspondence**

<b>DELIVER BY</b>		<b>REQUISITION #</b>	<b>REQUISITION DATE</b>	<b>CONFIRMED BY</b>	
08/22/2014		NONE	08/22/2014		
<b>FOB</b>		<b>ACCOUNT NUMBER</b>		<b>AUTHORIZED BY</b>	
		See Summary Page		KIM BELT	
<b>ITEM #</b>	<b>QUANTITY/ UNIT</b>	<b>DESCRIPTION ARTICLE OR SERVICE</b>		<b>UNIT COST</b>	<b>EXTENDED COST</b>

**CRACK SEALING MATERIAL**  
Effective date: 08/22/2014  
Expiration date: 07/30/2015  
Not to exceed: 90,000.00

The General Conditions (terms & conditions) that are applicable to this Purchase Order(PO) can be found at the link below unless this PO is pursuant to a specific contract or bid which terms and conditions will govern the aforementioned General Conditions.  
<http://www.carson.org/bids>  
CONTRACT FILE 1415-057

<b>TOTAL PURCHASE AMOUNT</b>	<b>\$0.00</b>
------------------------------	---------------

<b>Send Original and One Copy of Invoice to:</b> <b>PUBLIC WORKS</b> <b>3505 BUTTI WAY</b> <b>CARSON CITY, NV 89701</b>
--

**AUTHORIZED SIGNATURE** 

Account	25630384310480	Project	Amount	90,000.00
---------	----------------	---------	--------	-----------

ITEM #	QUANTITY/UNIT	DESCRIPTION	ARTICLE OR SERVICE	UNIT COST	EXTENDED COST
		See Summary Page			
					KIM BELT
FOB		ACCOUNT NUMBER			
08/22/2014	NONE	REQUISITION #	08/22/2014	REQUISITION DATE	
DELIVER BY		CONFIRMED BY			
		AUTHORIZED BY			

*Our P.O. # MUST Appear on ALL Invoices, Packages and Correspondence*

CARSON CITY, NV 89701  
 3505 BUTTI WAY  
 PUBLIC WORKS

SHIP TO:

SALT LAKE CITY, UT 84104  
 650 DELONG STREET  
 MAXWELL PRODUCTS

VENDOR ADDRESS:

VENDOR #: 6754

VENDOR FAX: ( ) -

VENDOR PHONE: (0) -

DATE: 8/22/2014

**PURCHASE  
 ORDER NO.  
 008129**

**BLANKET ORDER  
 CITY OF CARSON CITY  
 PURCHASING & CONTRACTS  
 201 NORTH CARSON ST #11  
 CARSON CITY, NV 89701**





650 South Delong Street • Salt Lake City, UT 84104

July 24, 2014

Tom Gordon  
Warehouse Supply Coordinator – Public Works  
3505 Butti Way  
Carson City, NV 89701

Tom;

In response to your inquiry I am writing to answer your question about the Polyskin packaging for crack sealant. Maxwell Products was the innovator and inventor of this form of packaging. A few of our competitors did produce some loads but stopped when we obtained a patent. We are the only manufacturer who produces product in this type of container. It has been an incredible innovation, in that it works to keep build-up in the kettle to a minimum, it is a structural container so it does not deteriorate and spill off the pallet once the stretch wrap is removed. We have found that it melts away very quickly once it is placed into the vat of a kettle.

You of course have become familiar with these features, as you have used it. We would request that you consider us for a sole source contract to supply Carson City. We will maintain competitive pricing with similar material.

If you have any questions please call me.

Thanks

Larry Allen  
Maxwell Products, Inc.  
801-918-8912