



Chicago Park District

Legislation Text

File #: 15-2289-0513, Version: 1

AUTHORIZATION TO PARTICIPATE IN CLARK EQUIPMENT COMPANY'S CONTRACT WITH THE NATIONAL JOINT POWERS ALLIANCE FOR THE SUPPLY AND DELIVERY OF BOBCAT HEAVY CONSTRUCTION EQUIPMENT

To the Honorable Board of Commissioners of the Chicago Park District:

I. Recommendation

Pursuant to Chapter XI, Section D, 7, (a) of the Code of the Chicago Park District, it is recommended that an order be entered authorizing the General Superintendent and CEO or his designee to participate in Clark Equipment Company's contract with the National Joint Powers Alliance for the supply and delivery of Bobcat heavy construction equipment. This contractor was selected pursuant to a publicly advertised Request for Proposals. No work may commence and no payment shall be made prior to the execution of a written agreement.

II. Award Information

Contractor:	Clark Equipment (dba Bobcat Company and Doosan Infracore Construction Equipment) Address City, State Zip Code
Company Type:	Corporation
Majority Interest:	Doosan Infracore International
Contract Period:	Four (4) year initial contract term which expires on July 19, 2015. There's one (1) additional one (1) year extension option at the discretion of the NJPA.
Authorized Amount:	\$150,000.00 for the purchase and delivery of three (3) Bobcat skid steer loaders.
Scope of Services:	The supply and delivery of three (3) Bobcat skid steer loaders.
Affirmative Action Goals:	Minority- and Women-Owned Participation for this purchase have been waived.

Authorization:	Authorize the General Counsel to include other relevant terms and conditions in the written Agreement. Authorize the General Superintendent to execute the Agreement and the Secretary to attest as to the signing of the Agreement and keep an original copy of the agreement on file.
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III. Budget and Financial Information

Budget Classification:	Capital
Fiscal Year:	2015
Source of Funds:	071.8460.8460.627045.BD115.01.01.55294

IV. Procurement Information

Chapter XI, Section D, 7, (a) of the Code permits the participation in another governmental entity's contract when it is in the best of the Chicago Park District ("CPD"). Furthermore, the Code adds in Chapter XI, Section D, 7, (a), (i) that the contract which the CPD desires to participate in must be the result of a public procurement process.

The National Joint Powers Alliance ("NJPA") was created by Minnesota State Statute in 1978 and is a cooperative purchasing public agency that makes its contracts available to its nationwide members including cities, counties, and government agencies including the CPD. All of the NJPA's contracts are publicly advertised, competitively bid, and approved by their eight (8) member board, all of whom are public officials.

On April 20, 2011, the NJPA publicly advertised a Request for Proposals ("RFP") for Heavy Construction Equipment Together with Related Accessories, Supplies, and Services. The RFP was publicly advertised in four newspapers, including the Star Tribune newspaper in Minnesota, where it was advertised for two consecutive weeks in both their print and online editions, e-commerce sites on the internet, and a notification of the advertisement was sent to state level NJPA members. The advertisement period was almost seven weeks, as proposals were due on June 3, 2011. 16 proposals were received on the due date, and the NJPA convened an evaluation committee to review and evaluate the proposals. At the conclusion of their evaluation process, Clark Equipment Company was recommended for award, and the NJPA Board approved the award for Bobcat Equipment to Clark Equipment Company at their July 19, 2011 meeting.

V. Explanation

Through cooperative purchasing, the CPD regularly participates in contracts with public agencies and national cooperative purchasing entities whose economies are larger, including the National Joint Powers Alliance. The CPD is one of over 50,000 nationwide public and governmental agency members of the NJPA, and the NJPA leverages this national volume through its contracts by making available to its members its large volume pricing. This is reflected in the RFP that the NJPA advertised where in section 5.1, for example, it said the proposers must offer their equipment, products, and services at prices that are of "lower and better value than what they would ordinarily offer to a single governmental agency." Consequently, the CPD would gain the benefits of economy of scale pricing and an expeditious purchasing process through participation in Clark Equipment Company's contract with the NJPA.

District-wide, the CPD maintains 7,500 acres of land, which include an urban forest of 250,000 trees, 5,000 acres of turf and 50 acres of floral beds, shrubs beds, two (2) world renowned conservatories, 31 beaches and 26 miles of lakefront land, and other landscaped areas. The Department of Cultural and Natural Resources needs the Bobcat skid steer loaders for their day to day landscape operations as well as ice rink maintenance during the winter.

Therefore, the Chicago Park District would like to take advantage of the NJPA's economy of scale and expeditious purchasing process by participating in Clark Equipment Company's contract for the purchase of the Bobcat skid steer loaders. Therefore, it is in the best interest of the Chicago Park District to participate in Clark Equipment Company's contract with the National Joint Powers Alliance.

VI. General Conditions

1. *Conflicts*: No agreement authorized herein shall be legally binding on the Chicago Park District if entered into in violation of the provisions of the Public Officer Prohibited Activities Act, 50 ILCS 105/0.01 *et seq.*

2. *Ethics*: The Chicago Park District's Ethics Code, Chapter III of the Code of the Chicago Park District, shall be incorporated into and made part of all agreements authorized herein.

3. *Contingent Liability*: Any agreement lawfully entered into for a period of more than one year shall be executory only for the amounts for which the Park District may become liable in succeeding fiscal years pursuant to Section 17(i) of the Chicago Park District Act, 70 ILCS 1505/17(i). All agreements authorized herein shall contain a clause that any expenditure beyond the current fiscal year is subject to appropriation in the subsequent fiscal year budget.

4. *Economic Disclosure Statement ("EDS")*: Contractors have submitted a full and complete EDS prior to execution of the contract.