

RESOLUTION NO. 2011-372

Adopted by the Sacramento City Council

June 21, 2011

APPROVING THE USE OF THE U.S. COMMUNITIES COOPERATIVE PURCHASING AGREEMENT WITH BSN SPORTS/US GAMES FOR RECREATIONAL EQUIPMENT FOR FY 2012

BACKGROUND

- A. The Department of Parks and Recreation, Recreation Division has ongoing requirements to purchase sports equipment, uniforms and supplies for recreation programs and services. The City has an opportunity to obtain lower pricing for these items through the use of U.S. Communities cooperative purchasing agreement with BSN Sports/US Games, as opposed to paying regular retail prices when equipment is purchased throughout the year on an as needed basis.
- B. In accordance with City Code 3.56.240, the City Manager may, by cooperative purchasing agreements approved by City Council, purchase supplies through contracts of other governmental jurisdictions without separate competitive bidding, where it is advantageous to the City.
- C. Using existing cooperative purchasing agreements available from U.S. Communities to purchase sports equipment, uniforms and other recreational supplies is advantageous to the City as the agreement meets the needs of the Department of Parks and Recreation's specifications and will result in cost and time savings because of the elimination of conducting our own competitive bidding process.
- D. The estimated cost of procuring sports equipment, uniforms and other recreational supplies through June 30, 2012 under the BSN Sports/US Games contract is approximately \$140,820.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The use of the U.S. Communities cooperative purchasing agreement number 10-JLH-001 with BSN Sports/US Games for the purchase of sports equipment, uniforms and other recreational supplies for the Department of Parks and Recreation through June 30, 2012 is approved.

Section 2. The City Manager or the City Manager's designee is authorized to issue the required purchase orders under the referenced cooperative purchasing agreement for fiscal year 2012 provided that sufficient funds are available in the Department of Parks and Recreation approved operating budget adopted for the applicable fiscal year, and each purchase order shall not exceed the City Manager's delegated authority.

Section 3. The master contract executed by Hartford County Public Schools in Maryland with BSN Sports/US Games. This agreement is available to all U.S. Communities members through its cooperative purchase agreement program. This agreement as described in Section 1, is attached as Exhibit A and made part of this Resolution.

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Exhibit A – U.S. Communities contract with BSN Sports/ U.S. Games through Hartford County Public School, Maryland

Adopted by the City of Sacramento City Council on June 21, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

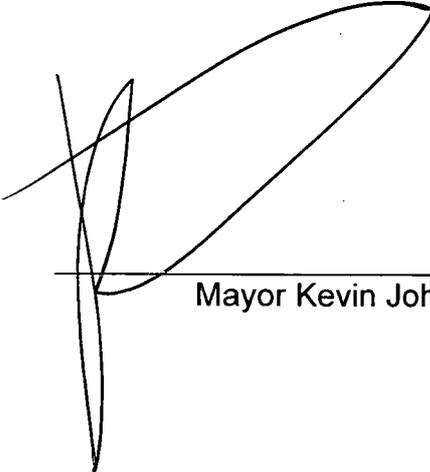
Noes: None.

Abstain: None.

Absent: None.

Attest:


Shirley Concolino, City Clerk



Mayor Kevin Johnson

Home Products & Suppliers



REQUEST CONTACT

BSN SPORTS US Games - Athletic Supplies & P.E. Equipment
 Website: BSN Sports/US Games
 Phone: (800) 527-7510
 Fax: (800) 899-0149
 E-mail: uscommunities@bsnsports.com

OVERVIEW BENEFITS PRICING SHIPPING CONTRACT DOCS FAQs HOW TO ORDER

BSN Sports/US Games Contract Information

Harford County Public Schools, Maryland
 5 years, Oct. 1, 2009 to Sep. 30, 2014
 Option to renew for two (2) additional one (1) year terms.

Contract Documents

- Contract 10-JLH-001
- Contract 10-JLH-001 Price List
- Contract 10-JLH-001 Amendment
- Contract 10-JLH-001 Amendment 2

RFP Documents

- Request for Proposal
- Request For Proposal Amendment # 1
- Request For Proposal Posting Document

Postings

No. of suppliers participated in the solicitation process: 3 suppliers responded; posted on the Internet

- Purchasing Department of Harford County Public Schools
June 10, 2009 to July 4, 2009
- Association of Oregon Counties
June 10, 2009 to July 4, 2009
- State of Hawaii and Oregon
June 10, 2009 to July 4, 2009

KEY PRODUCTS



CONTRACT

RFP #10-JLH-001

THIS AGREEMENT, made this 1st day of October, 2009, by and between Harford County Public Schools acting herein through its Superintendent, hereafter called "Owner" and Sport Supply Group, a corporation at 1901 Diplomat Drive, in the City of Dallas and State of Texas, hereinafter called "Contractor".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the OWNER, the CONTRACTOR, hereby agrees with the OWNER to commence and complete the services described as follows:

RFP: Physical Education Supplies and Equipment

Furnish, supply and deliver physical education and athletic supplies, equipment, uniforms and related physical education items in accordance and compliance with all specifications, terms and conditions set forth in RFP #10-JLH-001.

Hereinafter called the contract, for the estimated annual sum of One hundred thousand dollars (\$100,000) for the period October 1, 2009 through September 30, 2014, and all extra work in connection therewith, under the terms as stated in the General and Special Conditions of the RFP Document; and at his (its or their) own proper cost and expense to furnish all the materials, supplies, equipment, tools, superintendence, labor, insurance and other accessories and services necessary to complete the said project in accordance with the conditions and prices stated in the Proposal, the General Conditions and Special Conditions of the Bid Document, and printed or written explanatory matter thereof, the specifications and contract documents therefore as prepared by the Board of Education, and as enumerated in the General Conditions, all of which are made a part hereof and collectively evidence and constitute the Contract.

The OWNER agrees to pay the CONTRACTOR in current funds for the performance of the Contract, subject to additions and deductions, as provided in the General Conditions of the Contract, and to make payments on account thereof as provided in Paragraph "Payments to Contractor," of the General Conditions.

IN WITNESS WHEREOF, the parties to these presents have executed this Contract in three (3) counterparts, each of which shall be deemed an original, in the year and day first above mentioned.

ATTEST: (Seal)

Board of Education of Harford County

Kornelia M. Wilmoth
Secretary (Harford County Public Schools)

[Signature]
Robert M. Tomback, Ph.D., Superintendent of Schools

(Seal)

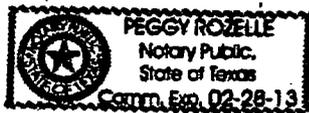
Sport Supply Group Inc
Company Name

[Signature]
Company Representative

1901 Diplomat Farms Branch, Tx 75234
Address

Sworn to before me by
Adam Blumenfeld this
23rd day of September, 2009.

Address



Peggy Rozelle



Harford County Public Schools

Price List - RFP #10-JLH-001

Product Discount Schedule	
Product Category	Discount
Physical Education <i>Key Product Categories:</i> Playground Balls, Scooters, Voit Activity Balls, Cones, Bowling, Floor Mats, Gymnastics, Hoops, Juggling, Jump Ropes, Parachutes, Pinnies & Vests, Spots, Tinkling, Toss and Catch	22%
Athletic Equipment <i>Key Product Categories:</i> Baseball/Softball, Basketball, Benches & Bleachers, Coaches Aids, Field Maintenance, Football, Hockey, Lacrosse, Scoreboards, Soccer, Tennis, Track & Field & Windscreen	18%
Fitness Equipment <i>Key Product Categories</i> Dumbbells, Kettlebells, Olympic Weight Sets, Plyometrix Platforms, Weight Plates	15%
Electronics <i>Key Product Categories</i> Blood Pressure Testers, Body Fat Scales, Heart Rate Monitors, Pedometers, Radios, Electronic Scales	10%
Uniforms & Apparel Alleson & Rawlings team uniforms and staff apparel	35%
Drop Ship Discount applies to items direct shipped from vendors	8%
<p>All Products shipped FOB Destination within Continental U.S.A. w/ the following exclusions: Field Dirt, Poly Cap, Weight Plates & Dumbbells</p> <p>Add 10% of the product cost for freight to Alaska and Hawaii Actual Shipping charges apply to all shipments outside the United States</p> <p>Discounts apply to most current BSN and US Games</p> <p>Detailed Price List Attached</p>	

Rebate Schedule	
Sport Supply Group agrees to the following customer volume rebate schedule based on 12 month purchases made between July-June. Rebates will be issued as an account credit.	
Annual Volume \$100,000-\$199,999 \$200,000-\$299,000 \$300,000 and above	1% Rebate 2% Rebate 3% Rebate

MASTER PURCHASE AGREEMENT

by and between

HARFORD COUNTY PUBLIC SCHOOLS, MARYLAND

AND

SPORT SUPPLY GROUP, INC.

**CONTRACT AMENDMENT # 1 TO THE MASTER PURCHASE AGREEMENT/U.S.COMMUNITIES
GOVERNMENT PURCHASING ALLIANCE**

The Master Purchase Agreement executed by both parties on the 1st day of October, 2009 is hereby amended to reflect the addition of the following offering pursuant to Article VI, Section 6.8, Contract Modifications as follows:

ADD, the Tomark Sports, Corona California, Multi-Sport Catalog to the existing Contract offerings between Harford County Public Schools, Maryland on behalf of U.S. Communities Government Purchasing Alliance and Sports Supply Group, a corporation at 1901 Diplomat Drive, Dallas Texas. The current Product Discount Schedule will apply to products available through Tomark Sports. All existing terms, conditions and provisions of the existing contract as executed are applicable to this additional offering.

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AMENDMENT IN THE YEAR AND DAY SO NOTED:

HARFORD COUNTY PUBLIC SCHOOLS, MARYLAND

By John R. Miller
Director of Purchasing

Date: 9-15-2010

SPORT SUPPLY GROUP, INC.

By Jim C. Bae
Vice President / Sales

Date: 9/13/10

MASTER PURCHASE AGREEMENT
By and between
HARFORD COUNTY PUBLIC SCHOOLS, MARYLAND
AND
SPORT SUPPLY GROUP, INC.

CONTRACT AMENDMENT #2 TO THE MASTER PURCHASE AGREEMENT/U.S. COMMUNITIES
GOVERNMENT PURCHASING ALLIANCE

The Master Purchase Agreement executed by both parties on the 1st day of March, 2011 is hereby amended to reflect the addition of the following offering:

ADD, the "Core List" of items to the existing Contract offerings between Harford County Public Schools, Maryland on behalf of U.S. Communities Government Purchasing Alliance and Sport Supply Group, a corporation at 1901 Diplomat Drive, Dallas, Texas. The core list items, attached and recognized as Exhibit A, will carry additional discounts ranging from 4% - 20% and will be marketed and, or promoted by Sport Supply Group as per the specifications in the original contract agreement. All existing terms, conditions and provisions of the existing contract as executed are applicable to this additional offering.

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AMENDMENT IN THE YEAR AND DAY SO NOTED:

HARFORD COUNTY PUBLIC SCHOOLS, MARYLAND

By: Jeffrey L. Lorta

Date: March 21, 2011

SPORT SUPPLY GROUP, INC.

By: 9426E1841A554EA...
Terrence M. Babilla
DocuSigned By: Terrence M. Babilla
Terrence M. Babilla

Date: 3/18/2011

President, COO, General Counsel and Secretary