



City of Sacramento City Council

915 I Street, Sacramento, CA, 95814
www.CityofSacramento.org

Meeting Date: 6/7/2012

Report Type: Consent

Title: Purchase/Cooperative Agreement: BSN/US Games

Report ID: 2012-00389

Location: Citywide

Recommendation: Pass a motion: 1) approving the use of a U.S. Communities cooperative purchasing agreement number 10-JLH-001 with BSN/US Games for the purchase of sports equipment, uniforms and supplies for the Department of Parks and Recreation through June 30, 2013; and 2) authorizing the City Manager or his designee to issue the required purchase orders under the referenced cooperative purchasing agreement in an amount not to exceed \$128,335 through June 30, 2013.

Contact: Bernadette Cheek, Admin. Analyst, (916) 808-6097, David Mitchell, Operations Manager, (916)808-6076, Sylvia Fort, Recreation Manager, (916) 808-8381, Alan Tomiyama, Operations Manager, (916) 808-8958, Department of Parks and Recreation

Presenter: None

Department: Parks & Recreation Department

Division: Recreation Administration

Dept ID: 19001411

Attachments:

1-Description/Analysis

2-Contract, BSN/US Games

City Attorney Review

Approved as to Form
Sheryl Patterson
5/1/2012 3:50:34 PM

City Treasurer Review

Reviewed for Impact on Cash and Debt
Russell Fehr
4/25/2012 9:17:06 AM

Approvals/Acknowledgements

Department Director or Designee: Jim Combs - 4/25/2012 2:14:46 PM



Description/Analysis

Issue: The Department of Parks and Recreation, Recreation Division has ongoing needs to purchase sports equipment, uniforms, and supplies for all of its recreation programs and services such as: tennis balls, softballs, baseballs, basketballs, soccer balls, and footballs; cheerleading, soccer, basketball, and baseball uniforms; football flags, and exercise supplies. Using existing cooperative purchasing agreements for these purchases 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.

Policy Considerations: In accordance with City Code 3.56.240, the City Manager may, by cooperative purchasing agreements approved by City Council, purchase supplies or nonprofessional services through contracts of other governmental jurisdictions without separate competitive bidding, where it is advantageous to the City.

In accordance with Sacramento City Council Resolution No. 2010-346, BSN Sports/US Games is headquartered in the state of Texas. The proposed contract award is consistent with Resolution 2010-346 prohibiting the City from entering into any contract to purchase goods or services from any business or entity headquartered in Arizona.

Environmental Considerations:

California Environmental Quality Act (CEQA):

This report concerns the purchase of sports equipment, uniforms, and supplies for the Department of Parks and Recreation. Continuing administrative activities, such as the purchase of supplies, is not a “project” for the purposes of CEQA pursuant to section 15378(b)(2) of the CEQA Guidelines (Title 14 Cal. Code Reg. § 15000 et seq.) and is exempt from CEQA pursuant to section 15601(b)(3) of the CEQA Guidelines.

Sustainability: Approval of the purchase of sports equipment, uniforms and supplies for recreation programs is not applicable to the goals, policies and targets of the Sustainability Master Plan or the 2030 General Plan, and its impact on the City’s sustainability efforts cannot be evaluated at this time.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: U.S. Communities is a buying group of full service government agencies. The Lead Public Agency prepares and issues a nationwide competitive solicitation on behalf of U.S. Communities and all 90,000 public agencies. These solicitations include language allowing states, local governments, school districts, and higher education institutions, or other government agencies and nonprofit organizations to use or “piggyback” on contracts. The use of the U.S. Communities cooperative purchasing agreement through the Hartford County Public Schools contract number 10-JLH-001 with Sports Supply Group, Inc, which operates under the name “BSN Sports/US Games” to purchase recreational equipment will provide a cost-effective alternative to purchasing individual items from different vendors. The consolidation of purchasing these items into one major vendor will allow the department to better monitor expenditures in this area.

In an ongoing effort to maximize cost savings and staff resources, many government agencies share contracting efforts through cooperative purchasing. This procurement approach increases pricing competitiveness and lowers operating costs through volume buying. When comparing the administrative costs of procurement, staff considers product research, source selection, specifications, advertising, staff reports, awarding, protest, and administration of the contract. It is more cost-effective to eliminate the cost and time spent on these administrative processes and purchase items and services through a cooperative purchasing program.

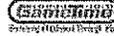
The City has used both regional and national cooperative purchasing agreements to complement its own contracting initiatives. Cooperative purchasing enables City departments and the Procurement Services Division to evaluate a broader range of contracting opportunities and to share resources with other jurisdictions. Cooperative purchasing also leverages internal and external resources to maximize cost saving opportunities for the City.

Financial Considerations: Purchases from July 1, 2012 through June 30, 2013, are subject to funding availability in the adopted operating budget of the applicable fiscal year. The proposed action would allow for issuance of purchase orders in an amount not to exceed \$128,335.

Emerging Small Business Development (ESBD): Cooperative purchasing agreements are created, evaluated and awarded by other government agencies that may or may not have similar emerging and small business programs. However, the Department of Parks and Recreation and Procurement Services divisions will consider other alternatives if it is determined that using cooperative contracts may have a negative impact on small businesses.



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





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, Plyometric 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 Allesson & Rawlings team uniforms and staff apparel	35%
Drop Ship Discount applies to items direct shipped from vendors	8%
All Products shipped FOB Destination within Continental U.S.A. w/ the following exclusions: Field Dirt, Poly Cap, Weight Plates & Dumbbells	
Add 10% of the product cost for freight to Alaska and Hawaii	
Actual Shipping charges apply to all shipments outside the United States	
Discounts apply to most current BSN and US Games	
Detailed Price List Attached	

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	1% Rebate
\$200,000-\$299,000	2% Rebate
\$300,000 and above	3% Rebate

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

Kornetha M. Wilmoth
Secretary (Harford County Public Schools)

Robert M. Tomback
Robert M. Tomback, Ph.D., Superintendent of Schools

(Seal)

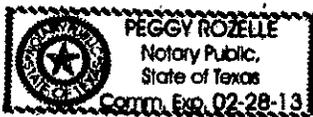
Sport Supply Group Inc
Company Name

Al [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

MASTER PURCHASE AGREEMENT

By and between

HARFORD COUNTY PUBLIC SCHOOLS, MARYLAND

AND

SPORT SUPPLY GROUP, INC., DOING BUSINESS AS BSN SPORTS, INC.

**CONTRACT AMENDMENT #3 TO THE MASTER PURCHASE AGREEMENT/U.S. COMMUNITIES
GOVERNMENT PURCHASING ALLIANCE**

The Master Purchase Agreement, RFP 10-JLH-001, originally executed by both parties on the 1st day of October, 2009 is hereby amended this 27th day of March, 2012 to reflect the addition of the following offering:

RECOGNIZE that Sport Supply Group, Inc. (SSG) is now doing business as BSN Sports, Inc. and is the same entity, with the same Federal Tax ID #, and synonymous with Sport Supply Group, Inc. (SSG) and doing business as a corporation at 1901 Diplomat Drive, Dallas, Texas. 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 LaPorte*

Date: *3/26/2012*

BSN SPORTS, INC.

By: *Nick Manning*
Contract Manager

Date: *3-26-12*

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 LaPorta

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

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 K. Miller
Director of Purchasing

Date: 9-15-2010

SPORT SUPPLY GROUP, INC.

By Jim C. Bae
Vice President / Sales

Date: 9/13/10