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Title: CONSIDER APPROVAL FOR A BLANKET PURCHASE ORDER TO SHERWIN WILLIAMS COMPANY FOR PURCHASE OF PAINT AND PAINTING SUPPLIES FOR THE PUBLIC WORKS DEPARTMENT (CITY COUNCIL).

Sponsors:

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Attachments: 1. SHERWIN WILLIAMS - PRICE LIST

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------|--------|--------|
| 12/25/2022 | 1 | City Council | | |

Report to Mayor and City Council

Tuesday, July 19, 2022

Consent

SUBJECT:

CONSIDER APPROVAL FOR A BLANKET PURCHASE ORDER TO SHERWIN WILLIAMS COMPANY FOR PURCHASE OF PAINT AND PAINTING SUPPLIES FOR THE PUBLIC WORKS DEPARTMENT (CITY COUNCIL).

I. SUMMARY

City Council approval is requested to authorize the Purchasing Department to appropriate funds to a Blanket Purchase Order (“BPO”) agreement for Sherwin Williams Company totaling \$100,000, which will exceed the City Manager’s expenditure authority of \$25,000.

Sherwin Williams provides materials such as commercial high-performance paint coatings, primers, interior/exterior coatings, and other items required by City’s departments, and City has a need to continue to purchase these products.

Because Sherwin Williams is the only vendor capable of providing the City with the unique paint colors that they created for the City more than 20 years ago, the City Council is being asked to approve a purchase order with Sherwin Williams without going out to bid under the City’s sole source exception permitted under Section 2611(e) of the City’s Municipal Code.

II. RECOMMENDATION

TAKE the following actions:

1. WAIVE the bidding requirements of the Carson Municipal Code (“CMC”) pursuant to Carson Municipal Code 2611(e) (sole source purchasing); and
2. AUTHORIZE the Purchasing Division to create a Purchase Order to Sherwin Williams for the amount not-to-exceed \$100,000.

1.

III. ALTERNATIVES

1. TAKE another action the City Council deems appropriate and consistent with the requirements of the City’s Purchasing Ordinance.

IV. BACKGROUND

Sherwin Williams has been a frequent vendor for the City of Carson Public Works Department since before 2003. Sherwin Williams offers an extensive array of paint supplies, equipment, and services that include, but are not limited to, interior/exterior coatings, primers, aerosols, deck stains, & faux finishing (Exhibit No.1). The Public Works Landscape and Building Maintenance (LBM) division receives service requests daily from its residents by telephone or email which are then turned into work orders in the iWorq system.

Work orders that involve graffiti are a common occurrence and having the right paint and supplies on hand is necessary for the Public Works Maintenance Crew to tackle such service requests effectively and efficiently. The LBM graffiti crew systematically travels through their assigned zones throughout the City and removes graffiti upon sight and per requests made through work orders. Graffiti is removed from areas such as public rights of way, public and private property, wooden fences, cinder block walls, chain link fences with privacy material, sidewalks, some signs, curbs, and some public bridges.

The building maintenance parks crew is responsible for the beautification of all City owned facilities and parks. This crew oversees painting the interior and exterior of park buildings and all park amenities. Moreover, the Warehouse Division will stock related goods for all departmental use.

Sherwin Williams has unique paint colors that they created for the City more than 20 years ago. They are the only vendor with these specific paint codes which are identified as #22, #172, #106, Post Grey, Bridge Blue, and City Hall beige, and the City continues to use these paints today.

Section 2611(e) of the City’s Municipal Code allows City to dispense with competitive

bidding under a sole source exception, which states:

The City Manager may dispense with this Chapter's bidding requirements if he or she finds that the materials, supplies, equipment, or services are unique because of their quality, durability, availability, or fitness for a particular use and are available only from one (1) source, or, if available from more than one (1) source, can be purchased from the manufacturer or service provider for a lower price. If the cost of such sole source purchasing is \$25,000 or greater, then the City Council's approval shall be required.

Sherwin Williams is the only vendor capable of providing the custom paint needed by City. Therefore, Public Works is requesting that the City Council waive the bidding requirement under the sole source exception and approve a blanket purchase order with Sherwin Williams totaling \$100,000 to allow staff to continue to address the various work orders through FY 2022/2023.

Finally, it should also be noted that Section 2605(b)(1)(ii) of the CMC requires City to enter into a contract for purchases of any personal property, including materials, supplies and equipment, of \$25,000 or more over a fiscal year, unless the City Manager (as Purchasing Manager) waives this requirement. The City Manager has waived such contract requirement allowing the purchase to occur under the Purchase Order instead.

V. FISCAL IMPACT

There is no fiscal impact. Funds for this Purchase Order were included in the FY 2022/23 budget from accounts 101-80-840-102-6009 for \$30,000, 101-80-840-109-6009 for \$20,000, and 101-99-999-999-1302 for \$50,000 will remain in inventory for future use.

VI. EXHIBITS

1. Sherwin Williams - Pricing List

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