AGENDA REQUEST AND STAFF REPORT
For Board Business Meeting of: March 2, 2016

DATE: February 23, 2016

FROM: Tom Shamberger  Road Department  Phone: 541.322.7120

TITLE OF AGENDA ITEM:
Consideration for Board approval of Intent To Award #2016-081 for "Supply and Delivery of Traffic Line Paint, 2016"

PUBLIC HEARING ON THIS DATE? No

BACKGROUND AND POLICY IMPLICATIONS:
The Deschutes County Road Department opened sealed bids on February 23, 2016 for the supply and delivery Waterborne Traffic Line Paint for use in the 2016 road paint striping season. There were two bidders on this contract: The Sherwin-Williams Company ($380,000) and Ennis Paint, Inc. ($417,500).

Sherwin-Williams was the winning bidder on this contract for the amount of $380,000.00. This bid represents a 10% reduction from the 2015 price; a $37,500 total reduction.

FISCAL IMPLICATIONS:
Funds for this contract are included in the Road Striping line item of the Road Department budget (Fund #325).

RECOMMENDATION AND ACTION REQUESTED:
Move Chair signature of Intent To Award #2016-081 to The Sherwin-Williams Company in the amount of $380,000.

ATTENDANCE: Chris Doty, Tom Shamberger

DISTRIBUTION OF DOCUMENTS: Return signed documents to Sheila Odle at the Road Department for distribution.
DESCHUTES COUNTY DOCUMENT SUMMARY

(Date: February 24, 2016  Department: Road)

Contractor/Supplier/Consultant Name: Sherman Williams
Contractor Contact: Brandy Reed  Contractor Phone #: 800.597.2929

Type of Document: Contract for Purchase/Delivery (Intent to Award)

Goods and/or Services: Traffic Line Paint

Background & History: This is an annual contract for procurement of traffic line paint. The contract was bid per County procurement code and AG Model Rules.

Agreement Starting Date: 03/09/16  Ending Date: 12/31/16

Annual Value or Total Payment: $380,000 total est.

☐ Insurance Certificate Received (check box)
Insurance Expiration Date:

☐ RFP, Solicitation or Bid Process
☐ Informal quotes (<$150K)
☐ Exempt from RFP, Solicitation or Bid Process (specify – see DCC §2.37)

Funding Source: (Included in current budget?  ☒ Yes  ☐ No
If No, has budget amendment been submitted?  ☐ Yes  ☒ No

Is this a Grant Agreement providing revenue to the County?  ☐ Yes  ☒ No

Special conditions attached to this grant:

Deadlines for reporting to the grantor:

If a new FTE will be hired with grant funds, confirm that Personnel has been notified that it is a grant-funded position so that this will be noted in the offer letter:  ☐ Yes  ☐ No

Contact information for the person responsible for grant compliance: Name:

2/24/2016
Departmental Contact and Title: Chris Doty
541-322-7105

Department Director Approval: [Signature]
Date 02/21/16

Distribution of Document: Who gets the original document and/or copies after it has been signed? Include complete information if the document is to be mailed.

Official Review:

County Signature Required (check one): □ BOCC  □ Department Director (if <$25K)
□ Administrator (if >$25K but <$150K; if >$150K, BOCC Order No. ____________)

Legal Review ______________________________ Date __________________

Document Number 2016 - 08/1

2/24/2016
### SUMMARY OF BIDS FOR WATERBORNE TRAFFIC LINE PAINT 2016

**Contract # 2016-082**

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>UNITS</th>
<th>ENGINEER'S ESTIMATE</th>
<th>SHERWIN-WILLIAMS</th>
<th>ENNIS PAINT, INC.</th>
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</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td>UNIT PRICE</td>
<td>COST</td>
<td>UNIT PRICE</td>
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<tr>
<td>1</td>
<td>Yellow Durable Ultra Hi-Build, Hi-Performance waterborne traffic Line Paint</td>
<td>25,000 Gal</td>
<td>$8.40/Gal.</td>
<td>$210,000.00</td>
<td>$7.60/Gal.</td>
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<td>2</td>
<td>White Durable Ultra Hi-Build, Hi-Performance Waterborne Traffic Line Paint</td>
<td>25,000 Gal</td>
<td>$8.40/Gal.</td>
<td>$210,000.00</td>
<td>$7.60/Gal.</td>
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<tr>
<td></td>
<td>TOTALS</td>
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<td></td>
<td>$420,000.00</td>
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</table>
March 2, 2016

The Sherwin-Williams Company
101 Prospect Avenue NW 720 GH
Cleveland, OH 44115


NOTICE OF INTENT TO AWARD CONTRACT

On March 2, 2016 the Board of County Commissioners of Deschutes County, Oregon, considered proposals for the above-referenced project. The Board of County Commissioners determined that the successful bidder for the project was The Sherwin-Williams Company, 101 Prospect Ave. NW, 720 GH, Cleveland, OH 44115, with a bid of Three Hundred Eighty Thousand and 00/100 dollars ($380,000.00).

This Notice of Intent to Award Contract is issued pursuant to Oregon Revised Statute (ORS) [specify 279B.135 for contracts other than public improvements or 279C.375 for public improvements]. A copy of this Notice is being provided to each firm or person that submitted a bid or proposal for the project. Any firm or person which believes that they are adversely affected or aggrieved by the intended award of contract set forth in this Notice may submit a written protest within seven (7) calendar days after the issuance of this Notice of Intent to Award Contract to the Board of County Commissioners of Deschutes County, Oregon, at Deschutes Services Building, 1300 NW Wall Street, Bend, Oregon 97701. The seven (7) calendar day protest period will expire at 5:00 PM on Wednesday, March 9, 2016.

Notice of Intent to Award Letter – 2016-081

Enhancing the Lives of Citizens by Delivering Quality Services in a Cost-Effective Manner
Any protest must be in writing and specify any grounds upon which the protest is based. Please refer to Oregon Administrative Rules (OAR) 137-049-0450 for construction contracts or OAR 137-047-0740 for contracts other than construction. If a protest is filed, a hearing will be held at 10:00 a.m. on March 23, 2016 before the Board of County Commissioners of Deschutes County Oregon, acting as the Contract Review Board, in the Deschutes Services Building, 1300 NW Wall Street, Bend, Oregon 97701.

If no protest is filed within the protest period, this Notice of Intent to Award Contract becomes an Award of Contract without further action by the County unless the Board of County Commissioners for good cause, rescinds this Notice before the expiration of the protest period. The successful bidder or proposer on a Deschutes County project is required to execute three (3) copies of the Contract, which will be provided when the contract is negotiated. In addition to the execution of Contract, the contractor will be required to provide one or more certificates of insurance together with endorsements naming Deschutes County as an additional insured.

All contract copies will need to be returned to the County for execution. After all parties have signed the contract, a copy of the contract will be forwarded to you along with a notice to proceed.

If you have any questions regarding this Notice of Intent to Award Contract, or the procedures under which the County is proceeding, please contact Deschutes County Legal Counsel Bend, OR 97701, telephone (541) 388-6625 or FAX (541) 383-0496.

Sincerely,

DESCHUTES COUNTY, OREGON

___________________________________
Alan Unger, Chair

cc w/enc: Transmitted by Facsimile and First Class Mail on March 2, 2016 to all bidders (3 pages)
See attached List

<table>
<thead>
<tr>
<th>Name</th>
<th>The Sherwin-Williams Company</th>
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<tbody>
<tr>
<td></td>
<td>Brandy Reed</td>
</tr>
<tr>
<td>Address</td>
<td>101 Prospect Ave., NW, 720 GH</td>
</tr>
<tr>
<td>City, State, Zip Code</td>
<td>Cleveland, OH 44115</td>
</tr>
<tr>
<td>Phone:</td>
<td>800-597-2929</td>
</tr>
<tr>
<td>Fax:</td>
<td>216-774-1875</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:hwyinsidesales@sherwin.com">hwyinsidesales@sherwin.com</a></td>
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<table>
<thead>
<tr>
<th>Name</th>
<th>Ennis Paint, Inc.</th>
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<tr>
<td></td>
<td>Scott Seeley</td>
</tr>
<tr>
<td>Address</td>
<td>115 Todd Ct.</td>
</tr>
<tr>
<td>City, State, Zip Code</td>
<td>Thomasville, NC 27360</td>
</tr>
<tr>
<td>Phone:</td>
<td>336-308-3769</td>
</tr>
<tr>
<td>Fax:</td>
<td>336-475-7900</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:contracts@ennisflint.com">contracts@ennisflint.com</a></td>
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