



CITY COUNCIL ACTION REPORT

February 25, 2010

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Susan A. Leirstein, Purchasing Director
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Rescind Bid Award/Re-award Contract – Tee Shirts

Background

- On October 5, 2009, Troy City Council approved a one-year contract to provide Tee Shirts for Parks & Recreation programs with an option to renew for one additional year to the low total bidder, Custom T's of Clawson, MI (Resolution #2009-10-301-F4c).
- On February 11, 2010, Custom T's had requested to be released from their contract as it has proven to be economically unfeasible to continue under erroneous assumptions made on their part as it relates to design creation, order quantity and frequency.
- Impressive Promotional Products, LLC is the next lowest bidder and has agreed to provide tee shirts as specified through September 30, 2010.

Financial Considerations

- Costs under the new contract with Impressive Promotional Products will increase only marginally at an estimated \$600.00 when compared with pricing submitted by Custom T's.
- The cost of the shirts is built-in to the registration fee paid for by program participants.

Legal Considerations

- Custom T's received a written notification of default and remedies for reinstatement as a potential vendor after three (3) years.

Recommendation

- City management recommends the Troy City Council rescind with prejudice the contract approved on October 5, 2009, to Custom T's, for Tee Shirts (various types) (Resolution #2009-10-301-F4c). Staff also recommends re-awarding the contract to the next lowest bidder, Impressive Promotional Products, LLC of Clawson, MI, at unit prices contained in the bid tabulation opened September 2, 2009.



IMPRESSIVE PROMOTIONAL PRODUCTS, LLC
645 North Rochester Road, Clawson, MI 48017.
Tel: (248) 589-3595 Fax: (248) 589-1131
Email: ipproducts@sbcglobal.net

* Imprinted & Embroidered T-Shirts, Polo Shirts, Sweat Shirts & Sweaters. * School, Cheerleading & Team Uniforms. * Blazers, Jackets & Jogging Suits. * Gifts, Advertising Specialty & Promotional Items.

February 20, 2010

Susan Leirstein, CPPB
City of Troy
Purchasing Director
500 W. Big Beaver Road,
Troy, MI 48084

Re: ITB-COT 09-36 TEE SHIRTS

Dear Susan Leirstein:

In reference to the above, and our meeting with Barbara & Elaine from your Parks & Recreation Department on February 16, 2010, we confirm that Impressive Promotional Products will hold & honor the prices per the bid submitted on September 1, 2009.

The following additional issues were discussed:

1. Artwork charges will be at \$25.00 per hour.
2. Any additional color or location printed beyond the bid would be charged at \$0.50 per piece.

Should you have any questions or need further information, feel free to call me at (248) 589-3595.

Thanking you in the meanwhile.

Sincerely

Shoeb Ali
(Owner)



Custom T's
62 Park Dr.
Clawson, MI 48017
(248) 703-5548
rheydel@wowway.com

Date: 2/11/2010

To: Troy Parks and Recreation
3179 Livernois
Troy, MI 48083-5029
(248) 524-3484

To Whom It May Concern,

This letter is to request that Custom T's be released from the current agreement to supply the City of Troy with tee shirts. The reasons for this request are outlined below.

Many of the assumptions made by Custom T's during the bid process have proven to be incorrect. These include, but are not limited to, assumptions related to design creation, individual order quantity, and individual order frequency. These incorrect assumptions have thus far proven to result in a monetary net loss for Custom T's. Additionally, these incorrect assumptions bring questions as to Custom T's ability to provide timely delivery of the large quantities of tee shirts expected to be ordered during the upcoming spring season. Custom T's has also experienced quality issues indirectly related to these incorrect assumptions. Custom T's has made every effort to replace, at no cost to the City of Troy, any shirt which does not gain quality approval from the City of Troy staff. This process of product replacement is not a beneficial practice for either side. It is Custom T's hope that this letter's timing provides the City of Troy ample time to find an alternate source before the spring season.

Respectfully Submitted,

Robert J. Heydel, Jr.
Custom T's

F-1b Address of "F" Items Removed for Discussion by City Council and/or the Public

F-2 Approval of City Council Minutes

Resolution #2009-10-301-F-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 6:00 PM Special/Joint City Council Meeting of September 28, 2009 as submitted; the Minutes of the 7:30 PM Regular City Council Meeting of September 28, 2009 as submitted; and the Minutes of the Special City Council Meeting of September 28, 2009 as submitted.

F-3 Proposed City of Troy Proclamation: None Submitted

F-4 Standard Purchasing Resolutions:**a) Standard Purchasing Resolution 1: Award to Low Bidder – Asphalt Patching Material - Cold**

Resolution #2009-10-301-F-4a

RESOLVED, That Troy City Council hereby **AWARDS** a seasonal contract for asphalt patching material – QPR/UPM to the low bidder, Saginaw Asphalt Paving Company of Saginaw, MI, at unit prices contained in the bid tabulation electronically received September 15, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring April 30, 2010; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of properly executed bid and proposal documents, including insurance certificates and all other specified requirements.

b) Standard Purchasing Resolution 1: Award to Low Bidder – Library Parking Lot Improvement Project

Resolution #2009-10-301-F-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract to complete the Troy Public Library Parking Lot Improvement Project to the low total bidder, McCarthy Construction Company of Commerce Twp, MI, at unit prices contained in the bid tabulation opened September 16, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements.

c) Standard Purchasing Resolution 1: Award to Low Bidder – Tee Shirts

Resolution #2009-10-301-F-4c

RESOLVED, That Troy City Council hereby **AWARDS** a contract for one-year requirements of Tee Shirts (various types) with an option to renew for one additional year to the low total bidder, Custom T's of Clawson, MI, at unit prices contained in the bid tabulation opened September 2, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting with a contract expiration of September 30, 2010.

F-5 Announcement of Public Hearing for November 9, 2009 – Community Development Block Grant (CDBG) 2010 Application

Resolution #2009-10-301-F-5

RESOLVED, That Troy City Council hereby **SCHEDULES** a Public Hearing on November 9, 2009 at 7:30 PM or as soon thereafter as the agenda will permit for the purpose of hearing public comments on the adoption of the Community Development Block Grant 2010 application.

F-6 Approval of MDOT Contract 09-5601 between the City of Troy and Michigan Department of Transportation for the Utility Relocation Work for the Reconstruction of Rochester Road from Torpey to Barclay – Project No. 99.203.5

Resolution #2009-10-301-F-6

RESOLVED, That Troy City Council hereby **APPROVES** MDOT Contract No. 09-5601 between the City of Troy and the Michigan Department of Transportation for the utility relocation work by AT&T and Consumers Energy for the reconstruction of Rochester Road from Torpey to Barclay at an estimated cost to the City of Troy of \$122,001.00, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-7 Macy's Fireworks Permit Application

Resolution #2009-10-301-F-7

RESOLVED, That Troy City Council hereby **ISSUES** a fireworks permit to Zambelli Fireworks, Inc. of New Castle, PA, for the display of fireworks at Macy's at the Oakland Mall on November 6, 2009.

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Submitted

G-2 Memorandums: None Submitted

COUNCIL REFERRALS: Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda

H-1 No Council Referrals Advanced



CITY COUNCIL ACTION REPORT

September 9, 2009

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Susan A. Leirstein, Purchasing Director
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Standard Purchasing Resolution 1: Award to Low Bidder – Tee Shirts

Background

- On September 2, 2009, bids were opened to furnish one-year requirements of 50/50 and 100% Cotton Tee Shirts with an option to renew for one additional year. Tee shirts are used in several Parks and Recreation programs as team, participation, uniform or award shirts.
- 182 vendors were notified via the MITN system with seven qualified bids received, as well as two (2) statements of no bid. Four bid responses were not considered for award as they failed to meet the bid surety requirements.
- Custom T's of Clawson, Michigan is the low total bidder.
- The contract shall commence on October 1, 2009 and expire September 30, 2010.

Financial Considerations

- Funding for the purchase of tee shirts is available in the Parks and Recreation and Aquatic Center operating accounts.
- The cost of the shirts is built-in to the registration fee paid for by program participants.

Legal Considerations

- ITB-COT 09-36, one-year requirements of Tee Shirts with an option to renew was competitively bid as required by City Charter and Code.
- All bidders were given the opportunity to respond with their level of interest in supplying tee shirts to the City of Troy.

Recommendation

- City management and the Parks and Recreation department recommend awarding the tee shirt contract to the low total bidder, Custom T's of Clawson for an estimated total cost of \$35,142.25, at unit prices contained in the bid tabulation with a one-year renewable option from October 1, 2010 to September 30, 2011.

VENDOR NAME:

Custom T's	Impressive	E.A. Graphics	Easy Green Shop
	Promotional		
	Products, LLC	Receipt # D572562	
CHECK #	0427713	5300361325	Check on File 9202203251
CHECK AMOUNT	\$500.00	\$500.00	\$500.00

EST QTY	DESCRIPTION	PRICE/ EACH	PRICE/ EACH	PRICE/ EACH	PRICE/ EACH
ITEM #1-- 50/50 Short Sleeve Shirts					
(50% Cotton & 50% Polyester w/One Color Imprint on Front)					
3,600	Youth - Small, Med, Large	\$ 2.39	\$ 2.47	\$ 2.72	\$ 3.85
2,800	Adult - Small, Med, Large, Xlarge	\$ 2.39	\$ 2.49	\$ 2.74	\$ 3.95
50	Adult - XXL Large, XXX Large	\$ 3.49	\$ 3.75	\$ 3.84	\$ 5.65
3000	COST PER DIGIT: Single	\$ 0.35	\$ 0.35	\$ 0.35	\$ 1.45
730	Double	\$ 0.70	\$ 0.60	\$ 0.70	\$ 1.95
QUOTING ON STYLE:		G8000	8000 / 8000B	8000 & 8000B	G8000
MANUFACTURED BY:		Gildan			
NUMBER OF COLORS AVAILABLE:		28	29 Available	30 & 28	30
ESTIMATED TOTAL (ITEM#1):		\$ 17,031.50	\$ 17,539.50	\$ 19,217.00	\$ 30,976.00
ITEM #2 -- 100% Cotton - Short and Long Sleeve					
One (1) Color Imprint on Front					
150	Youth - Small, Med, Large - LONG Sleeve	\$ 4.29	\$ 4.55	\$ 5.75	\$ 6.55
100	Adult - Med, Large, Xlarge - LONG Sleeve	\$ 4.29	\$ 4.55	\$ 5.75	\$ 7.00
1100	Adult - Med, Large, Xlarge - SHORT Sleeve	\$ 2.49	\$ 2.55	\$ 2.81	\$ 4.15
125	Adult - XX Large - SHORT Sleeve	\$ 3.89	\$ 3.75	\$ 3.91	\$ 5.65
QUOTING ON STYLE:		G2400, G2000	S/S - 2000 L/S 2400/2400B	2400B, G2400, 2000	G2000
MANUFACTURED BY:		Gildan			
NUMBER OF COLORS AVAILABLE:		62 Short 24 Long	L/S - 14 S/S - 39	14, 30, 67	64
ESTIMATED TOTAL (ITEM#2):		\$ 4,297.75	\$ 4,411.25	\$ 5,017.25	\$ 6,953.75
ITEM #3 -- 100% Cotton - Short Sleeve Shirts (No Imprinting)					
175	Adult - Small, Med, Large, Xlarge	\$ 1.79	\$ 2.25	\$ 2.15	\$ 3.30
25	Adult - XXL Large	\$ 2.99	\$ 3.50	\$ 3.25	\$ 4.75
QUOTING ON STYLE:		G2000	2000	2000	G2000
MANUFACTURED BY:		Gildan			
NUMBER OF COLORS AVAILABLE:		62	39	67	64
ESTIMATED TOTAL (ITEM#3):		\$ 388.00	\$ 481.25	\$ 457.50	\$ 696.25
ITEM #4 -- 50% Cotton/50% Polyester Blend					
Short Sleeve Shirts w/Two Colors Front & 1 Color Back					
1200	Youth - Small, Medium, Large	\$ 2.89	\$ 2.80	\$ 2.97	\$ 4.65
1000	Adult - Medium, Large, X-Large	\$ 2.89	\$ 2.85	\$ 3.03	\$ 4.75
QUOTING ON STYLE:		G8000	8000 / 8000B	8000B / 8000	G8000
MANUFACTURED BY:		Gildan			
NUMBER OF COLORS AVAILABLE:		28	29	28 & 30	30
ESTIMATED TOTAL (ITEM#4):		\$ 6,358.00	\$ 6,210.00	\$ 6,594.00	\$ 10,330.00

Opening Date -- 9/2/09
Date Prepared -- 9/10/09

CITY OF TROY
BID TABULATION
TEE SHIRTS

VENDOR NAME:

VENDOR NAME:		Custom T's	Impressive	E.A. Graphics	Easy Green Shop
			Promotional		
			Products, LLC		
EST QTY	DESCRIPTION	PRICE/EACH	PRICE/EACH	PRICE/EACH	PRICE/EACH
ITEM #5 -- 100% Cotton - Two Color Imprint - Front & 1 Color Back Short Sleeve Shirts					
2000	Adult-Small, Medium, Large, X-Large	\$ 2.89	\$ 2.95	\$ 3.19	\$ 4.95
300	Adult - XX-Large	\$ 4.29	\$ 4.00	\$ 4.35	\$ 6.40
QUOTING ON STYLE:		G2000	2000	2000	G2000
MANUFACTURED BY:		Gildan			
NUMBER OF COLORS AVAILABLE:		62	39	67	64
ESTIMATED TOTAL (ITEM#5):		\$ 7,067.00	\$ 7,100.00	\$ 7,685.00	\$ 11,820.00
ESTIMATED GRAND TOTAL ALL ITEMS		\$ 35,142.25	\$ 35,742.00	\$ 38,970.75	\$ 60,776.00
SAMPLES INCLUDED	Y or N	No	No	No	No
CONTACT INFORMATION:	Hrs of Op Phone #	8 AM to 7 PM 248-703-5548	8 AM to 5 PM M-F 248-390-8028	8 AM to 5 PM 586-850-6449	9 AM to 5 PM 313-570-2477
PAYMENT TERMS		Net 30	Net 30	Net 10	Net 30
GUARANTEED DELIVERY		BIDDERS WILL BE NOTIFIED 2 WEEKS IN ADVANCE			
WARRANTY		MANUFACTURER'S			
EXCEPTIONS		Bid may be broken up by Item only if item #1 is awarded to Custom T's at a minimum	None	Blank	Blank
ACKNOWLEDGEMENT:		Yes	Yes	Yes	Yes
ADDENDUM #1		No	No	No	No

NO BIDS:
Slick Shirts Screen Printing
Libra Industries

Yellow Highlight Denotes Low Total Bidder

DISQUALIFIED:
General Motivation Co., Inc. (Personal check submitted as bid surety, instead of cashier's check, certified check or money order)
Brittan Banners Inc. (Personal check submitted as bid surety, instead of cashier's check, certified check or money order)
Advertising Accents, Inc. (Did not submit bid surety check with bid, as specified)
ForSports (Did not submit bid surety check with bid, as specified)

ATTEST:
Diane Fisher
Barbara Rupas
Linda Bockstanz

Susan Leirstein CPPB
Purchasing Director

Opening Date -- 9/2/09
 Date Prepared -- 9/10/09

jh/sl

CITY OF TROY
 BID TABULATION
 TEE SHIRTS

VENDOR NAME:

CHECK #

CHECK AMOUNT

Full Contact Sports

Design

Design

Incentives, Inc

Incentives, Inc

Alternate

9479201382

0450125

0450125

\$500.00

\$500.00

\$500.00

EST QTY DESCRIPTION

PRICE/
EACH

PRICE/
EACH

PRICE/
EACH

ITEM #1-- 50/50 Short Sleeve Shirts

(50% Cotton & 50% Polyester w/One Color Imprint on Front)

3,600 Youth - Small, Med, Large
 2,800 Adult - Small, Med, Large, Xlarge
 50 Adult - XXL Large, XXX Large
 3000 **COST PER DIGIT:** Single
 730 Double

Alternate

Style: Jerzees 29/29B

8000 / 8000B

G8000 / 8000B

G8000 & 8000B

QUOTING ON STYLE:

MANUFACTURED BY:

NUMBER OF COLORS AVAILABLE:

Alternate

24

A - 26, 3X - 11, Y - 29

A - 26, 3X - 11, Y - 29

ESTIMATED TOTAL (ITEM#1):

Same price different Style
 \$ 32,972.00

\$ 52,337.50

\$ 34,247.50

ITEM #2 -- 100% Cotton - Short and Long Sleeve

One (1) Color Imprint on Front

150 Youth - Small, Med, Large - LONG Sleeve
 100 Adult - Med, Large, Xlarge - LONG Sleeve
 1100 Adult - Med, Large, Xlarge - SHORT Sleeve
 125 Adult - XX Large - SHORT Sleeve

QUOTING ON STYLE:

MANUFACTURED BY:

NUMBER OF COLORS AVAILABLE:

24

Order Qty 24-71

Order Qty 72 +

\$ 5.87

\$ 9.38

\$ 7.48

\$ 5.96

\$ 10.74

\$ 8.23

\$ 4.22

\$ 7.79

\$ 5.78

\$ 5.78

\$ 9.34

\$ 6.97

2400B / 2000B

2000 - Short

2400 / 2000

G2400 - Lg, 2400B - Y

MANUFACTURED BY:

NUMBER OF COLORS AVAILABLE:

12

& 28

Y-14, A-44, 50/50- 25

ESTIMATED TOTAL (ITEM#2):

\$ 6,841.00

\$ 12,217.50

\$ 9,174.25

ITEM #3 -- 100% Cotton - Short Sleeve Shirts (No Imprinting)

175 Adult - Small, Med, Large, Xlarge
 25 Adult - XXL Large

QUOTING ON STYLE:

MANUFACTURED BY:

NUMBER OF COLORS AVAILABLE:

2000

Order Qty 200

\$ 2.75

\$ 3.27

\$ 4.75

\$ 4.80

2000

2000

Gildan

Gildan

24

44

ESTIMATED TOTAL (ITEM#3):

\$ 600.00

\$ 692.25

ITEM #4 -- 50% Cotton/50% Polyester Blend

Short Sleeve Shirts w/Two Colors Front & 1 Color Back

1200 Youth - Small, Medium, Large
 1000 Adult - Medium, Large, X-Large

QUOTING ON STYLE:

MANUFACTURED BY:

NUMBER OF COLORS AVAILABLE:

8000B / 8000

Order Qty 144

\$ 5.61

\$ 6.05

\$ 5.36

\$ 6.13

8000B / 8000

G8000 / 8000B

Gildan

Gildan

24

37 & 29

ESTIMATED TOTAL (ITEM#4):

\$ 12,092.00

\$ 13,390.00

Opening Date -- 9/2/09
 Date Prepared -- 9/10/09

CITY OF TROY
 BID TABULATION
 TEE SHIRTS

VENDOR NAME:

EST QTY	DESCRIPTION	Full Contact Sports	Design	Design	
			Incentives, Inc	Incentives, Inc	
				Alternate	
EST QTY	DESCRIPTION	PRICE/ EACH	PRICE/ EACH	PRICE/ EACH	
ITEM #5 -- 100% Cotton - Two Color Imprint - Front & 1 Color Back			Order Qty 72		
Short Sleeve Shirts					
2000	Adult-Small, Medium, Large, X-Large	\$ 5.58	\$ 8.16		
300	Adult - XX-Large	\$ 7.14	\$ 9.66		
	QUOTING ON STYLE:	2000	2000		
	MANUFACTURED BY:	Gildan	Gildan		
	NUMBER OF COLORS AVAILABLE:	24	44		
			50/50 - 25 Colors		
	ESTIMATED TOTAL (ITEM#5):	\$ 13,302.00	\$ 19,218.00		
	ESTIMATED GRAND TOTAL ALL ITEMS:	\$ 65,807.00	\$ 97,855.25	N/A	
	SAMPLES INCLUDED Y or N	Yes	No		
	CONTACT INFORMATION: Hrs of Op	8 AM to 6 PM	8 AM to 5 PM		
	Phone #	586-292-6735	1-800-528-8028		
	PAYMENT TERMS	Net 30	Net 30		
	GUARANTEED DELIVERY	BIDDERS WILL BE NOTIFIED 2 WEEKS IN ADVANCE			
	WARRANTY	MANUFACTURER'S			
	EXCEPTIONS	Attached To Bid	Attached To Bid		
	ACKNOWLEDGEMENT: Y or N	Yes	Yes	Yes	
	ADDENDUM #1 Y or N	No	No	No	

PROPOSAL: One-Year Requirements of 50/50 Tee Shirts and 100% Cotton Shirts with an Option To Renew for One Additional Year