



**Date:** May 12, 2015

**To:** Thomas J. Bonfield, City Manager

**Through:** Bo Ferguson, Deputy City Manager

**From:** Donald Long, Solid Waste Director

**Subject:** Piggyback Purchase – Two (2) Truck Weigh Scales

### **Executive Summary**

The contract under consideration will provide the Solid Waste Management Department with two (2) replacement truck weigh scales to be installed at the City's Solid Waste Transfer Station. These scales have been approved for purchase from FY2014/15 funds. For the purposes of this contract, the Administration is recommending purchasing two (2) truck weigh scales from an existing City of Rocky Mount contract that was awarded in July 2014 to Charlotte Scale Company, Inc. of Charlotte, NC. North Carolina General Statute 143-129(g) allows an exception to the bidding process for piggyback purchases.

The Administration has analyzed market conditions, has compared the pricing to other recent similar bids, and recommends using the "piggyback" provision.

The total cost of the contract is \$103,162.80. Funding for this contract is available from the Solid Waste Transfer Station Fund (5400MM21).

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Charlotte Scale Company, Inc., and determined they are in compliance with the Ordinance to Promote Equal Opportunities in City Contracting. There were no SDBEs to provide this product.

### **Recommendation**

That the bid for the purchase of two (2) replacement truck weigh scales in the amount of \$103,162.80 from Charlotte Scale Company, Inc., of Charlotte, NC be approved and the City Manager be authorized to execute all relevant contracts; and,

That the City Manager be authorized to modify the contract before execution provided that the modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract.

## **Background**

The contract under consideration will provide the Solid Waste Management Department with two (2) replacement truck weigh scales. These scales have been approved for purchase from FY2014/15 funds. The existing weigh scales have been in service for approximately fifteen years and are at the end of their estimated useful life.

Making purchases from your own or another governmental agency's contract is referred to as "piggybacking". North Carolina General Statute 143-129(g) allows an exception to the bidding process. The exception reads as follows:

*Waiver of Bidding for Previously Bid Contracts. - When the governing board of any political subdivision of the State, or the manager or purchasing official delegated authority under subsection (a) of this section, determines that it is in the best interest of the unit, the requirements of this section may be waived for the purchase of apparatus, supplies, materials, or equipment from any person or entity that has, within the previous 12 months, after having completed a public, formal bid process substantially similar to that required by this Article, contracted to furnish the apparatus, supplies, materials, or equipment to:*

- (1) The United States of America or any federal agency;*
- (2) The State of North Carolina or any agency or political subdivision of the State; or*
- (3) Any other state or any agency or political subdivision of that state, if the person or entity is willing to furnish the items at the same or more favorable prices, terms, and conditions as those provided under the contract with the other unit or agency.*

*Notwithstanding any other provision of this section, any purchase made under this subsection shall be approved by the governing body of the purchasing political subdivision of the State at a regularly scheduled meeting of the governing body no fewer than 10 days after publication of notice, in a newspaper of general circulation in the area served by the governing body, that a waiver of the bid procedure will be considered in order to contract with a qualified supplier pursuant to this section. Rules issued by the Secretary of Administration pursuant to G.S. 143-49(6) shall apply with respect to participation in State term contracts.*

Charlotte Scale Company, Inc. of Charlotte, NC has agreed to furnish the City of Durham with two (2) truck weigh scales per the same pricing and conditions as in the City of Rocky Mount contract awarded in July 2014.

## **Issues/Analysis**

In July 2014, the City of Rocky Mount awarded a contract to Charlotte Scale Company, Inc. of Charlotte, NC for replacement of a truck weigh scale. The Administration is recommending purchasing two (2) truck weigh scales, including supply and installation, from this contract.

For the purposes of this contract, the piggyback method offers the City the following advantages:

- Quicker delivery time (By foregoing the bid process, the Department should receive the units sooner, which will allow them to take older, more expensive to operate units, out of service sooner.)

**Alternatives**

The City could choose not to use the “piggyback” provision and seek new bids. Seeking new bids would delay the award process and most likely result in higher prices. The Administration has analyzed market conditions, has compared the pricing to other recent similar bids, and recommends using the “piggyback” provision.

**Financial Impact**

The total cost of the contract is \$103,162.80. Funding for this contract is available from the Solid Waste Transfer Station Fund (5400MM21).

**SDBE Summary**

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Charlotte Scale Company, Inc. of Charlotte, NC and determined they are in compliance with the Ordinance to Promote Equal Opportunities in City Contracting.

**SDBE REQUIREMENTS**

There were no SDBEs to provide this product.

**WORKFORCE STATISTICS**

The workforce statistics for Charlotte Scale Company, Inc. of Charlotte, NC are as follows:

Total Workforce	16	100%
Total Females	1	6.25%
Total Males	15	93.75%
Black Males	1	6.25%
White Males	14	87.5%
Other Males	0	0%
Black Females	0	0%
White Females	1	6.25%
Other Females	0	0%

**Attachments**

1. City of Rocky Mount RFQ #1461 – Solid Waste Transfer Station Truck Scale Replacement
2. City of Rocky Mount Purchase Order #01501171-00
3. Charlotte Scale Company Invoice for Payment #5188