



**PURCHASING ITEM
FOR
COUNCIL AGENDA**

1. Agenda Item Number:

16

2. Council Meeting Date:

April 11, 2013

TO: MAYOR & COUNCIL

3. Date Prepared: March 25, 2013

THROUGH: CITY MANAGER

4. Requesting Department: Municipal Utilities/Community Svcs.

5. SUBJECT: Extension of Agreement No. MU1-885-2936

6. RECOMMENDATION: Recommend approval of Amendment No. 2 to extend Agreement No. MU1-885-2936 for the purchase of water treatment, wastewater treatment and swimming pool chemicals with General Chemical, Univar, Brenntag Pacific, Cal-Pacific, F2 Industries, DPC Enterprises, Polydyne, Thatcher Company, Hill Brothers, Commercial Pool Repair, A&M Corsons and Applied Products Group in an amount not to exceed \$4,292,322.

7. HISTORICAL BACKGROUND/DISCUSSION: In March 2011, Council awarded one-year agreements for water treatment, wastewater treatment and swimming pool chemicals to be used by Chandler as well as other participating agencies. Municipal Utilities will use this contract for water, wastewater, reverse osmosis and well systems treatment. Community Services will use the contract for pool chemicals. Chandler cooperatively advertised for public agencies that use water treatment chemicals allowing the City to take advantage of combined quantity discounts. The participating agencies include Chandler, Tempe, Glendale, Queen Creek, Superstition Mountains Community Facilities District, Gilbert, Mesa, Tolleson Union High School District, El Mirage, Yuma and Oro Valley. Chandler uses 26 of the 48 bid items. The remaining items are used by the other participating agencies.

8. EVALUATION PROCESS: In March 2011, Council awarded one-year agreements for water treatment, wastewater treatment and swimming pool chemicals to be used by Chandler as well as other participating agencies to take advantage of combined quantity discounts. The agreements have provisions to extend for three additional one-year periods. The contractors have agreed to extend the agreements with minor price increases to three of the contract items, but only one of these chemicals is used by Chandler for swimming pools. The price increase to the City is \$1,984.

9. FINANCIAL IMPLICATIONS:

Costs: \$4,292,322

Savings: N/A

Long Term Costs: N/A

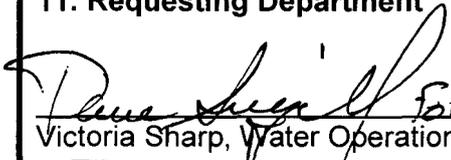
Fund Source:

<u>Acct. No.:</u>	<u>Fund Name:</u>	<u>Program Name:</u>	<u>CIP Funded:</u>	<u>Funds:</u>
101.4520.5318.0.0	General, Aquatics	Chemicals	N/A	\$ 280,000
605.3830.5318.0.0	Water Operating, Water Treatment	Chemicals	N/A	\$1,712,322
605.3860.5318.0.0	Water Operating, Water Systems Maintenance	Chemicals	N/A	\$ 300,000
615.3940.5318.0.0	WW Operating, WW Treatment	Chemicals	N/A	\$ 600,000
615.3960.5318.0.0	WW Operating, AWRF	Chemicals	N/A	\$ 900,000
615.3970.5318.0.0	WW Operating, Ocotillo WRF	Chemicals	N/A	\$ 100,000
616.3930.5318.0.0	WW Ind. Treatment, Reverse Osmosis	Chemicals	N/A	\$ 400,000
			Total	\$4,292,322

10. PROPOSED MOTION: Move to approve Amendment No. 2 to extend Agreement No. MU1-885-2936 for the purchase of water treatment, wastewater treatment, and swimming pool chemicals with General Chemical, Univar, Brenntag Pacific, Cal-Pacific, F2 Industries, DPC Enterprises, Polydyne, Thatcher Company, Hill Brothers, Commercial Pool Repair, A&M Corsons and Applied Products Group in an amount not to exceed \$4,292,322.

APPROVALS

11. Requesting Department


Victoria Sharp, Water Operations Superintendent

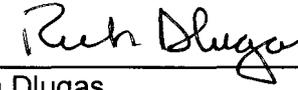
13. Department Head


Dave Siegel, Municipal Utilities Director

12. Procurement Officer


Carolee Stees, CPPB

14. City Manager


Rich Dlugas

AMENDMENT NUMBER TWO
TO AGREEMENT BETWEEN THE CITY OF CHANDLER
AND
GENERAL CHEMICAL PERFORMANCE PRODUCTS LLC
FOR
AGREEMENT NO. MU1-885-2936

This Amendment #2 to that certain Agreement Between the City Of Chandler (CITY) and GENERAL CHEMICAL PERFORMANCE PRODUCTS LLC (CONTRACTOR) for water/wastewater treatment and pool chemicals dated March 11, 2011 and is entered into this ____ day of March, 2013.

WHEREAS, the parties have agreed;

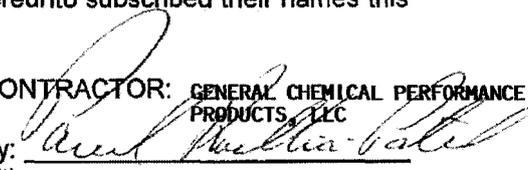
NOW THEREFORE, the parties agree as follows:

1. This contract is extended for a one-year period, March 15, 2013 through March 14, 2014.
2. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect. All terms and conditions in the original Agreement not specifically amended herein shall be incorporated by reference in its entirety and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this ____ day of March, 2013.

CITY OF CHANDLER:

By: _____
Mayor

CONTRACTOR: GENERAL CHEMICAL PERFORMANCE PRODUCTS, LLC
By: 
Title: PARUL KACHHIA-PATEL, MARKETING SPECIALIST

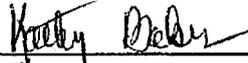
APPROVED AS TO FORM:

City Attorney 

ATTEST: (If corporation)

ATTEST:

City Clerk



Secretary KATHY BAKER
MANAGER, DISTRIBUTOR MARKETS

WITNESS: (If individual or Partnership)

[SEAL]

AMENDMENT NUMBER TWO
TO AGREEMENT BETWEEN THE CITY OF CHANDLER
AND
DPC ENTERPRISES, LP
FOR
AGREEMENT NO. MU1-885-2936

This Amendment #2 to that certain Agreement Between the City Of Chandler (CITY) and DPC ENTERPRISES, LP (CONTRACTOR) for water/wastewater treatment and pool chemicals dated March 11, 2011 and is entered into this 27th day of March, 2013.

WHEREAS, the parties have agreed;

NOW THEREFORE, the parties agree as follows:

1. This contract is extended for a one-year period, March 15, 2013 through March 14, 2014.
2. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect. All terms and conditions in the original Agreement not specifically amended herein shall be incorporated by reference in its entirety and shall remain in full force and effect.

27th IN WITNESS WHEREOF, the parties have hereunto subscribed their names this day of March, 2013.

CITY OF CHANDLER:

By: _____
Mayor

APPROVED AS TO FORM:

City Attorney *[Signature]*

ATTEST:

City Clerk

CONTRACTOR:

By: *[Signature]*
Title: William E. Ingram, Chief Financial Officer
DPC Enterprises, LP
by DPC Enterprises, GP, LLC, its general partner

ATTEST: (If corporation)

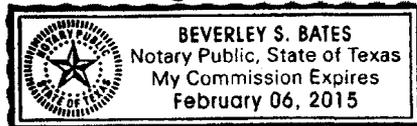
Secretary

WITNESS: (If individual or Partnership)

[Signature]

Beverly S Bates

[SEAL]



AMENDMENT NUMBER TWO
TO AGREEMENT BETWEEN THE CITY OF CHANDLER
AND
WATERNUTS AQUATIC ENTERPRISES, INC. DBA COMMERCIAL POOL REPAIR
FOR
AGREEMENT NO. MU1-885-2936

This Amendment #2 to that certain Agreement Between the City Of Chandler (CITY) and COMMERCIAL POOL REPAIR (CONTRACTOR) for water/wastewater treatment and pool chemicals dated March 11, 2011 and is entered into this 13th day of March, 2013.

WHEREAS, the parties have agreed;

NOW THEREFORE, the parties agree as follows:

1. This contract is extended for a one-year period, March 15, 2013 through March 14, 2014.
2. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect. All terms and conditions in the original Agreement not specifically amended herein shall be incorporated by reference in its entirety and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this _____ day of March, 2013.

CITY OF CHANDLER:

By: _____
Mayor

CONTRACTOR:

By: Robert G. Feathery
Title: Vice President

APPROVED AS TO FORM:

City Attorney [Signature]

ATTEST:

City Clerk

ATTEST: (If corporation)

[Signature]
Secretary

WITNESS: (If individual or Partnership)

[SEAL]

AMENDMENT NUMBER TWO
TO AGREEMENT BETWEEN THE CITY OF CHANDLER
AND
BRENNTAG COMPANY OF ARIZONA
FOR
AGREEMENT NO. MU1-885-2936

This Amendment #2 to that certain Agreement Between the City Of Chandler (CITY) and BRENNTAG PACIFIC (CONTRACTOR) for water/wastewater treatment and pool chemicals dated March 11, 2011 and is entered into this 27th day of March, 2013.

WHEREAS, the parties have agreed;

NOW THEREFORE, the parties agree as follows:

1. This contract is extended for a one-year period, March 15, 2013 through March 14, 2014.
2. The unit prices are payable as set forth in Amended Exhibit B attached.
3. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect. All terms and conditions in the original Agreement not specifically amended herein shall be incorporated by reference in its entirety and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this _____ day of March, 2013.

CITY OF CHANDLER:

By: _____
Mayor

APPROVED AS TO FORM:

City Attorney *Deer*

ATTEST:

City Clerk

CONTRACTOR:

By: *[Signature]*
Title: District Manager

ATTEST: (If corporation)

Secretary

WITNESS: (If individual or Partnership)

[SEAL]

**EXHIBIT B
PRICING**

ITEM	CHEMICAL	UOM	ESTIMATED QTY.	UNIT PRICE	EXTENDED PRICE
2	50% Liquid Sodium Hydroxide (Caustic Soda)	gal		\$2.25	\$
	Manufacturer: FMC				
	Product #: 786344				
	Packaging as delivered: totes only				
4	25% Liquid Sodium Hydroxide (Caustic Soda)	gal		\$1.12	\$
	Manufacturer: FMC				
	Product #: 666793				
	Packaging as delivered: Totes only				
4	25% Liquid Sodium Hydroxide (Caustic Soda)	gal		\$9.99	\$
	Manufacturer: FMC				
	Product #: 666793				
	Packaging as delivered: 500-2500 gallons				
37	Phosphoric Acid 75%	gal		\$9.30	\$
	Manufacturer: Brenntag				
	Product #: 164278				
	Packaging as delivered: Drums				
41	Soda Bicarbonate	lb		\$2.19	\$
	Manufacturer: FMC				
	Product #: 130051				
	Packaging as delivered: Bags				
44	Sulfuric Acid	gal		\$1.29	\$
	Manufacturer: Asarco				
	Product #: 203564				
	Packaging as delivered: Bulk and Totes				

AMENDMENT NUMBER TWO
TO AGREEMENT BETWEEN THE CITY OF CHANDLER
AND
THATCHER COMPANY OF ARIZONA
FOR
AGREEMENT NO. MU1-885-2936

This Amendment #2 to that certain Agreement Between the City Of Chandler (CITY) and THATCHER COMPANY OF ARIZONA (CONTRACTOR) for water/wastewater treatment and pool chemicals dated March 11, 2011 and is entered into this 28th day of March, 2013.

WHEREAS, the parties have agreed;

NOW THEREFORE, the parties agree as follows:

1. This contract is extended for a one-year period, March 15, 2013 through March 14, 2014.
2. The unit prices are payable as set forth in Amended Exhibit B attached.
3. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect. All terms and conditions in the original Agreement not specifically amended herein shall be incorporated by reference in its entirety and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this 28th day of March, 2013.

CITY OF CHANDLER:

By: _____
Mayor

CONTRACTOR: THATCHER COMPANY OF ARIZONA

By: Craig N. Thatcher
Title: Craig N. Thatcher, President

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

ATTEST: (If corporation)

Diane T. Barlow
Secretary Diane T. Barlow

WITNESS: (If individual or Partnership)

[SEAL]

**EXHIBIT B
PRICING**

ITEM	CHEMICAL	UOM	ESTIMATED QTY.	UNIT PRICE	EXTENDED PRICE
5	Sodium Bisulfite	gal		\$2.00	\$
	Manufacturer: Thatcher Company				
	Product #: 1900301				
	Packaging as delivered: Drums only				
17	Fluorosilicic Acid (Liquid Flouride)	gal		\$4.24	\$
	Manufacturer: LCI, Ltd.				
	Product #: 0800714				
	Packaging as delivered: Bulk				
26	3" Calcium Hypochlorite Tablets w/Antiscalant	Lb		\$1.80	\$
	Manufacturer: Environmental Compliance Resources				
	Product #: Aquafit AS3				
	Packaging as delivered: 55-pound pails				
42	Soda Ash	Lb		\$.2317	\$
	Manufacturer: General Chemical				
	Product #: 1902202				
	Packaging as delivered: 50-pound bags				

AMENDMENT NUMBER TWO
TO AGREEMENT BETWEEN THE CITY OF CHANDLER
AND
HILL BROTHERS CHEMICAL COMPANY
FOR
AGREEMENT NO. MU1-885-2936

This Amendment #2 to that certain Agreement Between the City Of Chandler (CITY) and HILL BROTHERS CHEMICAL COMPANY (CONTRACTOR) for water/wastewater treatment and pool chemicals dated March 11, 2011 and is entered into this ____ day of March, 2013.

WHEREAS, the parties have agreed;

NOW THEREFORE, the parties agree as follows:

1. This contract is extended for a one-year period, March 15, 2013 through March 14, 2014.
2. All other terms and conditions of the above referenced Agreement as amended shall remain unchanged and in full force and effect. All terms and conditions in the original Agreement as amended not specifically amended herein shall be incorporated by reference in its entirety and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this ____ day of March, 2013.

CITY OF CHANDLER:

By: _____
Mayor

CONTRACTOR:

By: _____
Title: *Regional Sales Manager*

APPROVED AS TO FORM:

City Attorney *plm*

ATTEST:

City Clerk

ATTEST: (If corporation)
Capital A Lane
Secretary

WITNESS: (If individual or Partnership)

[SEAL]

AMENDMENT NUMBER TWO
TO AGREEMENT BETWEEN THE CITY OF CHANDLER
AND
CAL-PACIFIC CARBON, LLC
FOR
AGREEMENT NO. MU1-885-2936

This Amendment #2 to that certain Agreement Between the City Of Chandler (CITY) and CAL-PACIFIC CARBON, LLC (CONTRACTOR) for water/wastewater treatment and pool chemicals dated March 11, 2011 and is entered into this _____ day of March, 2013.

WHEREAS, the parties have agreed;

NOW THEREFORE, the parties agree as follows:

1. This contract is extended for a one-year period, March 15, 2013 through March 14, 2014.
2. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect. All terms and conditions in the original Agreement not specifically amended herein shall be incorporated by reference in its entirety and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this _____ day of March, 2013.

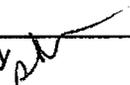
CITY OF CHANDLER:

By: _____
Mayor

CONTRACTOR:

By: 
Title: owner

APPROVED AS TO FORM:

City Attorney 

ATTEST: (If corporation)

ATTEST:

City Clerk

Secretary

WITNESS: (If individual or Partnership)

[SEAL]

AMENDMENT NUMBER TWO
TO AGREEMENT BETWEEN THE CITY OF CHANDLER
AND
F2 INDUSTRIES, LLC
FOR
AGREEMENT NO. MU1-885-2936

This Amendment #2 to that certain Agreement Between the City Of Chandler (CITY) and F2 INDUSTRIES, LLC (CONTRACTOR) for water/wastewater treatment and pool chemicals dated March 11, 2011 and is entered into this ____ day of March, 2013.

WHEREAS, the parties have agreed;

NOW THEREFORE, the parties agree as follows:

1. This contract is extended for a one-year period, March 15, 2013 through March 14, 2014.
2. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect. All terms and conditions in the original Agreement not specifically amended herein shall be incorporated by reference in its entirety and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this ____ day of March, 2013.

CITY OF CHANDLER:

By: _____
Mayor

CONTRACTOR: F2 Industries, LLC
By: William Jewell
Title: Partner

APPROVED AS TO FORM:

City Attorney

ATTEST: (If corporation)

ATTEST:

City Clerk

Kimberly Neal
Secretary

WITNESS: (If individual or Partnership)

[SEAL]

AMENDMENT NUMBER TWO
TO AGREEMENT BETWEEN THE CITY OF CHANDLER
AND
UNIVAR USA, INC.
FOR
AGREEMENT NO. MU1-885-2936

This Amendment #2 to that certain Agreement Between the City Of Chandler (CITY) and UNIVAR USA, INC. (CONTRACTOR) for water/wastewater treatment and pool chemicals dated March 11, 2011 and is entered into this ____ day of March, 2013.

WHEREAS, the parties have agreed;

NOW THEREFORE, the parties agree as follows:

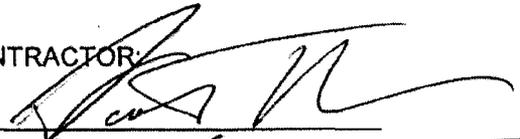
1. This contract is extended for a one-year period, March 15, 2013 through March 14, 2014.
2. The unit prices are payable as set forth in Amended Exhibit B attached.
3. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect. All terms and conditions in the original Agreement not specifically amended herein shall be incorporated by reference in its entirety and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this ____ day of March, 2013.

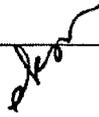
CITY OF CHANDLER:

By: _____
Mayor

CONTRACTOR:

By: 
Title: Regional Sales Manager - IC

APPROVED AS TO FORM:

City Attorney 

ATTEST: (If corporation)

Secretary

ATTEST:

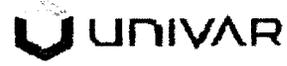
City Clerk

WITNESS: (If individual or Partnership)

[SEAL]

**EXHIBIT B
PRICING**

ITEM	CHEMICAL	UOM	ESTIMATED QTY.	UNIT PRICE	EXTENDED PRICE
2	50% Liquid Sodium Hydroxide (Caustic Soda)	gal		\$1.9828	\$
	Manufacturer: Formosa				
	Product #: 714975				
	Packaging as delivered: Bulk				
3	30% Liquid Sodium Hydroxide (Caustic Soda)	gal		\$1.1092	\$
	Manufacturer: Formosa				
	Product #: 797225				
	Packaging as delivered: Bulk				
4	25% Liquid Sodium Hydroxide (Caustic Soda)	gal		\$0.9186	\$
	Manufacturer: Formosa				
	Product #: 724205				
	Packaging as delivered: Bulk				
5	Sodium Bisulfite	gal		\$1.394	\$
	Manufacturer: Thatcher				
	Product #: 802945				
	Packaging as delivered: Bulk				
48	Lime Slurry	gal		\$1.98	\$
	Manufacturer:				
	Product #: 796087				
	Packaging as delivered: Bulk				



**AUTHORIZED BID SIGNERS
UNIVAR USA INC.
Western Region**

RESOLUTION

RESOLVED: That the Corporate Secretary shall maintain a list of the agents of this Corporation who are vested with authority to execute in the Corporation's behalf formal, written bids or proposals for the sale or other disposition of products handled by the Corporation. Said list shall be as established initially by the Board of Directors and thereafter, the President, or a Vice President shall have the authority, by written directive to the Corporate Secretary, to add agents to or eliminate agents from said list, and it is further

RESOLVED: That the Corporate Secretary or any Assistant Secretary of the Corporation is authorized to certify this resolution or certify to the name or names of persons on the list maintained by the Corporate Secretary and such certificate will be conclusive evidence of the authority of such person or persons so to act.

END OF RESOLUTION

CERTIFICATION

I, the undersigned, as Corporate Secretary of UNIVAR USA INC. do hereby certify as follows:

1. That the above resolution was duly adopted by the Board of Directors of said Corporation at a meeting duly held on December 24, 1986, and is in full force and effect.
2. That the list of persons authorized to execute, for and on behalf of this Corporation, written bids or proposals for the sale or other disposition of products handled by this Corporation, as initially established by the Board of Directors and thereafter added to by the President, or a Vice President of this Corporation is as follows:

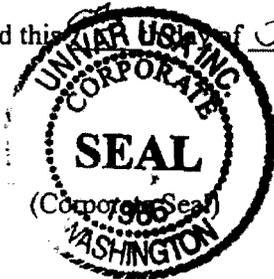
All officers and the following:

**Jennifer Perras
Scott Donahoe**

**Shawnasey McCarthy
Michelle Wick**

3. That all of the foregoing persons are now authorized to execute bids pursuant to the resolution above referred to.

Dated this _____ of JANUARY, 2012.



Berry Thurman
Corporate Secretary

AMENDMENT NUMBER TWO
TO AGREEMENT BETWEEN THE CITY OF CHANDLER
AND
APPLIED PRODUCTS GROUP LLC
FOR
AGREEMENT NO. MU1-885-2936

This Amendment #2 to that certain Agreement Between the City Of Chandler (CITY) and APPLIED PRODUCTS GROUP LLC (CONTRACTOR) for water/wastewater treatment and pool chemicals dated March 11, 2011 and is entered into this 25th day of March, 2013.

WHEREAS, the parties have agreed;

NOW THEREFORE, the parties agree as follows:

1. This contract is extended for a one-year period, March 15, 2013 through March 14, 2014.
2. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect. All terms and conditions in the original Agreement not specifically amended herein shall be incorporated by reference in its entirety and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this _____ day of March, 2013.

CITY OF CHANDLER:

By: _____
Mayor

CONTRACTOR:

By: 
Title: Owen Applied Products Group

APPROVED AS TO FORM:

City Attorney

ATTEST: (If corporation)

ATTEST:

Pam Lyons 3-25-13
Secretary

City Clerk

WITNESS: (If individual or Partnership)

[SEAL]

AMENDMENT NUMBER TWO
TO AGREEMENT BETWEEN THE CITY OF CHANDLER
AND
POLYDYNE, INC.
FOR
AGREEMENT NO. MU1-885-2936

This Amendment #2 to that certain Agreement Between the City Of Chandler (CITY) and POLYDYNE, INC. (CONTRACTOR) for water/wastewater treatment and pool chemicals dated March 11, 2011 and is entered into this ____ day of March, 2013.

WHEREAS, the parties have agreed;

NOW THEREFORE, the parties agree as follows:

1. This contract is extended for a one-year period, March 15, 2013 through March 14, 2014.
2. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect. All terms and conditions in the original Agreement not specifically amended herein shall be incorporated by reference in its entirety and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this ____ day of March, 2013.

CITY OF CHANDLER:

By: _____
Mayor

CONTRACTOR:

By: Lawrence D. Grizzle
Title: Lawrence D. Grizzle,
Business Manager

APPROVED AS TO FORM:

City Attorney

ATTEST: (If corporation)

ATTEST:

City Clerk

Mark Schlag
~~Secretary~~ Mark Schlag,
Assistant Secretary

WITNESS: (If individual or Partnership)

[SEAL]