

Board of Trustees Agenda Item

Board Meeting Date: February 1, 2010

Title of Item: Make a Finding Pursuant to Public Contract Code 3400(c)(3) that Requires Synthetic Turf Product is Only Available from One Source.

Background and Analysis:

On May 4, 2009 the Board of Trustees authorized the implementation of a procedure for the prequalification of the synthetic turf product that will be installed as part of the Foothill College Soccer and Softball complex project.

The “Notice to Synthetic Turf Manufacturers for Prequalification of Synthetic Turf Products” was advertised on May 20, May 27, October 9, and October 16, 2009 with the San Jose Post Record and posted on Bidnet at www.govbids.com. Purchasing staff also provided the prequalification package directly to more than sixteen (16) known manufacturers.

Three (3) manufacturers submitted the completed questionnaire to the District by the October 29, 2009 final due date. The questionnaires were evaluated based upon the following key evaluation factors: product information, product installation history, litigation history; compliance with statutory requirements and safety; and financial capacity. Public Contract Code Section 20101(a) mandates that the questionnaire responses of prospective bidders and their financial statements shall not be deemed public records and shall not be open to public inspection.

Upon evaluation of the three applications, only FieldTurf International submitted a package in which the proposed product, FieldTurf Pro Series Duo (2”) FTHS12 complied with the mandatory specifications as well as the installation requirements. Mondo USA Inc. did not meet the minimum product requirements. TigerTurf Americas, Inc. responded with incomplete data related to the Product Installation History. The District issued a letter dated December 9, 2009 requesting additional information by December 15. TigerTurf Americas, Inc. did not respond to the letter nor did they reply to a follow-up e-mail on December 17. Therefore, we can assume that TigerTurf Americas, Inc. opted not to respond because its proposed product could not meet the mandatory requirements of the Product Installation History.

Only FieldTurf International’s proposed product, FieldTurf Pro Series Duo (2”) FTHS12, met the District’s requirements for synthetic turf product. Therefore, in compliance with Public Contract Code 3400(c)(3) it is a necessary item that is only available from one source.

Recommendation:

Make a finding pursuant to Public Contract Code 3400(c)(3) that FieldTurf Pro Series Duo (2”) FTHS12 manufactured by FieldTurf International is a necessary item that is only available from one source given that no other product fully complies with the District’s requirements and specifications. Based upon this finding, FieldTurf Pro Series Duo (2”) FTHS12 by FieldTurf International will be designated in the bid specifications by specific brand name and not followed by the words “or equal” in the bid documents for the Foothill College Soccer and Softball Complex project, Bid #1238-142.

Submitted by:	Carmen Redmond, Director of Purchasing Services
Additional contact names:	Art Heinrich, Charles Allen, Gina Bailey
Is backup provided?	No