

ANSONIA RECREATION COMMISSION

Special Meeting

June 16, 2009

Present: Al Smith, Chairman
Steve Kichar – arrived 4:05 p.m.
Tom Lynch
Jamie Puro
Sean Rowley
Lynda Williams – arrived 4:06 p.m.

Absent: Linda Darling

Others Present: Jeff Coppola, Rec. Director
Kevin Blake, Corporation Counsel
Joe Miller, Comptroller
Steve Cavanaugh, Football Director

The Special Meeting of the Ansonia Recreation Commission was called to order at 4:00 p.m. by Chairman Al Smith.

All present rose and Pledged Allegiance to the Flag.

The secretary called the roll. There was a quorum present.

The secretary read the call of the meeting as follows:

Special Meeting

June 16, 2009

Madeline Bottone
Town & City Clerk
City of Ansonia
Ansonia, CT 06401

Dear Ms. Bottone:

The Ansonia Recreation Commission will hold a Special Meeting of the Commission as follows:

Date: Tuesday, June 16, 2009

Time: 4:00 p.m.

Place: Ansonia City Hall

Purpose:

1. To discuss the Football Reconditioning, Uniform & Equipment Bid
2. To vote on the Commission's selection of a Vendor for the Bid
3. To vote to forward the Commission's recommendation of a Vendor to the Board of Aldermen

Respectfully submitted,

Jo-Lynn Flaherty

Mr. Rowley made a motion to accept the call of the meeting as read. Mr. Lynch seconded. All in favor, so carried.

Chairman Smith said the meeting was called today to discuss the football bids.

Mr. Blake said that is the reason he is present at the meeting – to clarify some of the issues associated with the bid. He said he reviewed with Mr. Coppola and the secretary the information he they gave him on the bids. They are close in comparison with each other. The initial bid specifications were inadequate and may cause a problem. The specifications named a specific equipment or product. For example if you request equipment or product you have to afford them an opportunity to substitute an equivalent. He gave some examples to the members. These specifications did not do that. He said that they have substituted on their bids ie: Russell practice jerseys vs. All Star practice jerseys. He said maybe the vendors and the commission can work something out. He said if a vendor can't bid on an item it may cause a law suit.

A discussion followed on the bid process and why it is important that everyone who wants to put in a bid can put in a bid. Mr. Blake said that only two vendors bid but there may be a third vendor out there who couldn't bid because of the specifications. Maybe these items are franchised and only certain vendors are allowed to sell that item.

Chairman Smith said he is concerned with the time frame and getting the equipment sent out and back in time for the season to begin.

Mr. Coppola said that he spoke with Clean Gear and Stadium Systems and they are willing to sign something that says they will not sue if there is a solution. He said Clean Gear gave the most expressive answers. He said that this is not unusual and he had no problem with the way it was bid or the bid specifications. Stadium Systems was the same way, they had no problem and stated the bid could be split between the two of them.

Mr. Blake asked what the "drop dead" date was for sending this equipment out because it has to be approved by the Board of Aldermen. He said that the City also needs to get a waiver signed by both vendors.

Mr. Coppola said that he can do that.

Mr. Blake said there may be a third party out there also.

Mr. Kichar said to Mr. Blake: "are you aware that there are only two vendors in the State that can do this. No one in the State of Conn. deals with any other vendor. They are specific. He compared the items for bid between the two vendors.

Mr. Coppola said both vendors will sign a waiver on this. Clean Gear already ordered equipment for us. They should not have done that but they did.

Chairman Smith said Mr. Coppola suggested that we split up the bid between the two vendors. He asked Mr. Blake if that will be a problem.

Mr. Blake said we need something from them in a waiver that they will not sue – it has to be signed and notarized.

Mr. Coppola asked Mr. Blake if he will write the language for the waiver.

Mr. Blake said he will do that, he will write the release.

Mr. Rowley said we had Stadium System all these years and then Clean Gear. Now we have to go out to bid. He asked what happens next year – do we have to go out to bid again.

Mr. Blake said he has spoken to other attorneys and they all feel the specifications should not be specific. You can empower Jeff to act on your behalf to split the bid and assign what vendor gets what in the bid specs.

Mr. Puro said he doesn't like splitting the bid. He is not comfortable with that. He would rather purchase everything from one vendor – that way you are dealing with one person.

Mr. Blake said you are allowed to split.

Mr. Rowley said he agrees with Jamie. He is concerned with the reconditioning of the helmets. His question is Ansonia has Shott helmets and Clean Gear doesn't have Shott helmets. They can't serve them. Clean Gear is not able to do the helmets for us. So do we day Stadium Systems gets the helmets. We never had a problem in the past.

There was a discussion on past practice and what happened to create this situation with the vendors and the bids.

Mr. Coppola said that Ansonia would probably have to go out to bid sooner or later.

Mr. Blake said that we have waived bids in the past but this Administration doesn't want to that too often. He said he would like to resolve this issue for the best interest for the children.

Mr. Coppola said how do we decide.

Mr. Blake said you (Coppola) will have to get all of the information and comparisons and what the program needs and split it up evenly. Then give all of this information to Mr. Blake so he can make a ruling.

Mr. Kichar said how did Clean Gear order something for us without Recreation approving it. He said that Mickey from Clean Gear was evasive when you needed him – he didn't respond right away to questions, etc.

Steve Cavanaugh said that Clean Gear has a good product but they were hit or miss regarding getting in touch with him. You couldn't get him.

Mr. Kichar said if you called Stadium Systems on Tuesday you would have your equipment on Wednesday. He said he is confused on why Ansonia left Stadium Systems. He is confused on why Clean Gear ordered equipment for Ansonia without an OK. He said two years ago he and Jeff went over everything Recreation purchased from Stadium Systems and then Ansonai left Stadium Systems for a company who is elusive.

Mr. Coppola said that what Clean Gear ordered means nothing to us.

Mr. Blake said you are dealing with public funds. He said the City just went out for three million dollar bid for trash pick up. The Mayor said he doesn't want to waive anything. He said you have a coach here that says the equipment Clean Gear gave us last year was good.

Mr. Rowley said he agrees with Mr. Kichar he doesn't know why Ansonia left Stadium Systems.

Mr. Kichar said without telling Recreation Commission – they just did it on their own. He said Ansonia has been with Stadium systems for years and years. OK if it is better service or something but go to the vendor and give them a chance to find out if they did something wrong and if they can fix it especially when you worked that vendor for over 20 years.

Mr. Blake said based on the initial specifications there is a potential for law suites. Next year put the bid in and put in equivalent or get a committee and meet with Stadium System and Clean Gear and not go out to bid. You have to look at it is the equipment good, do they respond quickly and the quality of their service. All these things count in awarding a bid – it is not just price.

Mr. Coppola said next year Recreation can do that.

There was a discussion on the time frame to get the equipment shipped out and reconditioned and returned back to the program in time for practice to begin in August.

Mr. Kichar said he can't understand how this happened and why Recreation has to go out to bid.

Mr. Miller said the auditor picked up that Recreation awarded a contract without going out to bid that was over the \$5000.

Mr. Kichar said we didn't go out to bid this year how did they find that out.

Mr. Miller said the auditor picked up on it by the large payments to the vendor.

Mr. Blake said you can have a motion to empower the Recreation Director to work with Corporation counsel to resolve between Clean Gear and Stadium Systems to work out a resolution to the bid for equipment and provide a general release by Monday June 22, 2009 or you will go out to bid again. He said the Recreation Commission has to submit a letter to the Board of Aldermen for their July meeting on who they recommend.

Mr. Cavanaugh said whatever way is the fairest way to avoid litigation. He said Clean Gear was a superior product. If we have to split it OK but it is easier to deal with one vendor.

Mr. Coppola said it is not uncommon to split bids. Then in one year we will begin the process again and put the work equivalent in the wording of the specifications.

There was discussion on re-bidding and the process to do that. The next Board of Aldermen meeting is July 14,2009.

Mr. Cavanaugh said practice begins August 3 and they need the equipment back by the third week of practice.

Mr. Kichar said Recreation should go out and re-bid it. He said it has to be approved by the Board of Aldermen at their July 14th meeting and that is one month away. There is time to re-bid.

Mr. Kichar made a motion to reject both bids due to the improper language being too specific. Mr. Puro seconded. All in favor, so carried.

Discussion.

Mr. Coppola said he will get Clean Gear and Stadium Systems to write a release on them accepting the bid as presented. He said these companies are OK with it.

Discussion on re-bidding the bid and the time frame.

Chairman Smith asked Mr. Blake his recommendation. He said if we split it or not we can't worry about it.

Mr. Blake said his recommendation is re-bid. You can waive the deposit and you should notify the vendors immediately that it is going out to re-bid.

Mr. Kichar said if you are completely comfortable with the vendor doesn't that count.

Mr. Blake said that all is taken into consideration when choosing the vendor. That is part of the process. It's not all price.

Mr. Rowley made a motion to re-bid the football equipment, uniform and reconditioning bid with the proper wording in the language "or equivalent" in the specifications. Mr. Lynch seconded. All in favor, so carried.

Mr. Rowley made a motion to adjourn the meeting at 5:00 p.m. Mr. Lynch seconded. All in favor, so carried.

Respectfully submitted,

Jo-Lynn Flaherty
Secretary

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