

**CLARK COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM**

Petitioner: Les Lee Shell, Deputy County Manager
Lisa Kremer, Director of Real Property Management

Recommendation:

Authorize the termination of the Contract with Steven Jacob Odzer dba BT Supplies West, Inc, for Bid No. 604927-18, for Annual Requirements Contract for Janitorial Supplies Package 7 and 9; or take other action as appropriate. (For possible action)

FISCAL IMPACT:

Fund #:	N/A	Fund Name:	N/A
Fund Center:	N/A	Funded PGM/Grant:	N/A
Amount:	N/A		
Description:	N/A		
Additional Comments:	None		

BACKGROUND:

On October 2, 2018, the Board of County Commissioners (Board) approved the award of Bid No. 604927-18; for Annual Requirements Contract for Janitorial Supplies for Package 7 and 9 to Steven Jacob Odzer dba BT Supplies West, Inc. (NBE)

This Contract is for Countywide Janitorial Supplies for Package 7 and 9.

The following are the pertinent provisions of the Contract:

- The term of the Contract was from date of award through August 31, 2019, and included the option to renew for 4, one-year periods.
- Included the option to increase the award amount up to 10% based on possible increased user requirements for the renewal terms and approved budget appropriations.
- Included the option to increase the award amount up to 3% for possible price increases for renewal terms.
- Included the County's option to terminate for cause, convenience or default and suspend the Contract with advanced written notice.

On August 4, 2022, Department of Juvenile Justice Services (DJJS) contacted Steven Jacob Odzer BT Supplies West Inc., regarding products that had been ordered starting July 1, 2022, and was informed the product was not available. On August 31, 2022, a follow up email was sent requesting an update of when the products would be delivered. DJJS did not receive a response to this request.

On October 24, 2022, a Cause and Correction Action Notice was issued for failure to deliver products per the contract terms and conditions.

On November 7, 2022, DJJS placed another order with Steven Jacob Odzer BT Supplies West Inc. On November 22, 2022, a follow up email was sent requesting an update of when the products would be delivered. DJJS did not receive a response to this request.

Cleared for Agenda

07/18/2023

File ID#

23-916

On January 3, 2023, a second Cause and Correction Action Notice was issued for failure to deliver products per the contract terms and conditions.

On March 2, 2023, the Purchasing and Contracts Division issued a Notice of Intent to Terminate Contract for Cause and Notice of Meeting to Consider Administrative Action, by certified letter giving the minimum 21 working days' notice. This letter stipulated that the Contract would be terminated effective April 18, 2023, subject to the Board's approval. On March 23, 2023 Purchasing and Contracts received correspondence from BT Supplies West, Inc. requesting a conference to discuss possible remedies to improve their performance. To date Purchasing and Contracts has been unable to make contact with BT Supplies West, Inc. and therefore issued a revised Notice of Intent to Terminate on May 17, 2023 to reflect the new Board meeting date. Staff recommends that the Board terminate the Contract with Steven Jacob Odzer dba BT Supplies Inc.

This action is in accordance with Page III-1, Special Conditions, Section 6; Failure to Deliver, Termination for Cause.