

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20060725

1. ACTION REQUESTED/PURPOSE: Terminate the award of Section A – OEM Product, of Formal Quote No. Q-060062, Annual Purchase of Printing Supplies for the Library, to Upstate Computers Corp.

2. WHAT ACTION ACCOMPLISHES: This award was approved by the Board on March 14, 2006; therefore, Board approval is required to terminate.

3. MANAGEMENT RECOMMENDATION: Approve as stated.

4. Departmental Category: <u>AGA</u>		5. Meeting Date: <u>06-13-2006</u>
6. Agenda: <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify)	
	<input type="checkbox"/> Statute	<input type="checkbox"/> Ordinance
	<input checked="" type="checkbox"/> Admin. Code <u>AC-4-1</u>	<input type="checkbox"/> Other
	8. Request Initiated: Commissioner _____ Department _____ Division <u>Library</u> By: <u>Pete Winton, Acting Director</u>	

9. Background: The Library Division has documented a steady deterioration in the level of performance by the awarded vendor (see Attachment #1); and would like to explore other options for obtaining these supplies which will be more beneficial to Lee County.

ATTACHMENTS:

- (1) Documentation of Vendor Performance
- (2) Blue Sheet from 3/14/06 Meeting

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services			County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.
<u>5-30-06</u>	<u>Jan T. Shuckler</u>			<u>5/31/06</u>	<u>6/1/06</u>	<u>6/1/06</u>	<u>6/1/06</u>	<u>6-1-06</u>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty

Date: 5/31/06

Time: 11:20 AM

Forwarded to:
3:30 PM
5/31/06

RECEIVED BY
 COUNTY ADMIN:
5/31/06 4:15
MP

COUNTY ADMIN
 FORWARDED TO:
5/31/06 4:30 PM (Kec)
6/1/06 5:34 PM

ATTACHMENT #1



Lee County Library System

Dave Santucci, Senior Account Clerk
239-461-2917 Office
239-461-2919 Fax

Fax Cover Sheet

Date May 24, 2006

To Bob Franceschini

Fax 239-344-5460 Phone: _____

From Dave Santucci

Pages 2 including this page

Bob,

As expected, Upstate failed to deliver our order on time again. The vendor complaint form and original e-mail order are attached. Let's move forward with a reputable vendor and a termination of the current one.

Thanks,

Dave

APPROVED: 7/9/02

LEE COUNTY
VENDOR COMPLAINT REPORT

VENDOR: Upstate Computers DEPARTMENT Library

ADDRESS: 2 Buchanan Ct, #112 COMPLAINANT'S NAME: Dave Santucci

CITY: Mauvoe, NY 10950 COMPLAINANT'S TITLE: Senior Account Clerk

PHONE: 845-782-4306 COMPLAINANT'S PHONE#: 239-461-2917

DATE: 05/24/2006 QUOTE#: Q-060062

CONTACT: Sam Krausz QUOTE TITLE: Print Supplies for Library

NATURE OF COMPLAINT

- | | | | | | |
|-------------------------------------|----|--------------------------------------|-------|----|--|
| <input checked="" type="checkbox"/> | 01 | Late Delivery | _____ | 10 | Goods Delivered Damaged |
| _____ | 02 | Unauthorized Substitute | _____ | 11 | Request to Cancel Due to Bid Error |
| _____ | 03 | Poor Quality | _____ | 12 | Problem w/vendor Personnel |
| _____ | 04 | Failure to Respond to Letter or Call | _____ | 13 | Failure to Replace Damaged Goods |
| <input checked="" type="checkbox"/> | 05 | Poor Service | _____ | 14 | Repair Parts Not Available |
| _____ | 06 | Failure to Respond to Service Call | _____ | 15 | Poor Workmanship |
| _____ | 07 | Incorrect Items Delivered | _____ | 16 | Failure to Provide Warranty, Manuals, etc. |
| <input checked="" type="checkbox"/> | 08 | Failure to Meet Specifications | _____ | 17 | Short Weight or Overshipment |
| _____ | 09 | Failure to Identify Shipment | | | |

DETAILS OF COMPLAINT: (Attach additional pages if necessary)

The libraries May order was placed on May 16, 2006. As of May 24, 2006 the shipment has not been received

ACTION TAKEN BY BUYER & OUTCOME: (Attach additional pages if necessary)

Buyer: _____ Date: _____

Has complaint been resolved? _____ Yes _____ No Date resolved: _____

Santucci, David R.

From: Santucci, David R.
Sent: Tuesday, May 16, 2006 3:06 PM
To: 'upst@thejnet.com'
Cc: George, Shirley
Subject: Library's Ink/Toner Order for May

Good Afternoon,

Here is The Lee County Library System's Ink/Toner order for the month of May.

Please Reference purchase order # 76139

- C9720A - 1
- C8061X - 4
- 13L0034 - 10
- C4810A - 2
- C4811A - 2
- C4812A - 2
- C4813A - 2
- C4844A - 6
- C4836A - 2
- C4837A - 2
- C4838A - 2
- C9725A - 1
- Q5942A - 1

Ship To:
Attn: Dave Santucci
Library Administration
2345 Union St.
Ft. Myers, FL 33901

Thanks,

Dave Santucci
Senior Account Clerk
Lee County Library Administration
2345 Union St.
Fort Myers, FL 33901
LAN: 239-461-2917
FAX: 239-461-2919
dsantucci@leegov.com

5/16/2006

**LEE COUNTY
VENDOR COMPLAINT REPORT**

VENDOR: Upstate Computers DEPARTMENT Library

ADDRESS: 2 Buchanan Ct #112 COMPLAINANT'S NAME: Dave Santucci

CITY: Monroe, NY 10950 COMPLAINANT'S TITLE: Senior Account Clerk

PHONE: (845) 782-4306 COMPLAINANT'S PHONE#: (239) 461-2917

DATE: 4/12/06 QUOTE#: Q-060062

CONTACT: Sam Krausz QUOTE TITLE: Printing Supplies

NATURE OF COMPLAINT

- | | | | |
|--|--------------------------------------|--|--|
| <input checked="" type="checkbox"/> 01 | Late Delivery | <input type="checkbox"/> 10 | Goods Delivered Damaged |
| <input type="checkbox"/> 02 | Unauthorized Substitute | <input type="checkbox"/> 11 | Request to Cancel Due to Bid Error |
| <input type="checkbox"/> 03 | Poor Quality | <input checked="" type="checkbox"/> 12 | Problem w/vendor Personnel |
| <input checked="" type="checkbox"/> 04 | Failure to Respond to Letter or Call | <input type="checkbox"/> 13 | Failure to Replace Damaged Goods |
| <input checked="" type="checkbox"/> 05 | Poor Service | <input type="checkbox"/> 14 | Repair Parts Not Available |
| <input type="checkbox"/> 06 | Failure to Respond to Service Call | <input type="checkbox"/> 15 | Poor Workmanship |
| <input checked="" type="checkbox"/> 07 | Incorrect Items Delivered | <input type="checkbox"/> 16 | Failure to Provide Warranty, Manuals, etc. |
| <input checked="" type="checkbox"/> 08 | Failure to Meet Specifications | <input checked="" type="checkbox"/> 17 | Short Weight or Overshipment |
| <input checked="" type="checkbox"/> 09 | Failure to Identify Shipment | | |

DETAILS OF COMPLAINT: (Attach additional pages if necessary)

see attached (4)

ACTION TAKEN BY BUYER & OUTCOME: (Attach additional pages if necessary)

Buyer: _____ Date: _____

Has complaint been resolved? Yes No Date resolved: _____

Franceschini, Robert D.

From: Franceschini, Robert D.
Sent: Thursday, April 13, 2006 10:21 AM
To: Sam Krausz
Cc: Santucci, David R.; Sheehan, Janet K.; George, Shirley; Franceschini, Robert D.
Subject: Q-060062 - Printing Supplies for the Library...

4/13/06

Mr. Krausz:

The purpose of this e-mail is to inform you of Lee County's intent to purchase printing supplies as awarded to your firm under the above referenced quote from another source due to the inability of your firm to deliver ordered product to the library system in a correct and timely fashion. I have tried repeatedly to get in touch with you or another member of your staff via the telephone and voice mail but have received no response (my understanding is that your firm is closed from 4/12 through 4/24).

Please also know that a vendor complaint form has been received by Purchasing from the Library System. I need to address this with you as soon as possible. Please contact me at your earliest convenience.

Robert D. Franceschini, C.P.M., CPPB
Purchasing Manager
Lee County Purchasing
e-mail: rfranceschini@leegov.com
phone: 239-344-5457
fax: 239-344-5460

4/13/2006



MEMORANDUM FROM THE LIBRARY DIVISION

TO: Janet Sheehan

FROM: Dave Santucci

DATE: April 12, 2006

RE: Vendor Complaint Form (Details)

The library fiscal staff makes it a point to promptly submit an ink/toner order for the entire library system on the 15th of every month. On March 15th a requisition (469306) was put in for the order. On the 15th we had not received board approval of quote # 060062. On March 22nd we were notified that the quote had been approved. I was instructed to cancel the existing requisition and implement the order with our new county approved vendor, Upstate Computers.

The purchase order for Upstate Computers was approved on March 23rd. On March 24th I contacted Upstate computers for their preferred ordering method. Sam Krausz told me I need to work with Ester. She will be handling the account. He gave me her e-mail address and phone number. I contacted her by phone. She told me to place the order by e-mail and to include the shipping, billing, and purchase order details, since this was our first order with them. I sent the e-mail on March 24th. Ester confirmed the receipt of my e-mail by phone that day.

Per their quote shipping would take 5 calendar days. On April 4th we had not received the order and I e-mailed Ester for shipping status. As of April 7th I had not received a response. On April 7th I sent a second follow-up e-mail, restating the terms of the quote, the importance of the shipment, and my need for a response. Bob Franceschini was included in the April 7th e-mail. Bob promptly called me and we immediately placed a conference call with Mr. Krausz. Mr. Krausz stated; a few of the items were on the way, Ester sent me tracking information by e-mail, and the remaining items would be delivered to Library Administration no later than Tuesday, April 11th. He also stated his establishment would be closed from April 12th through April 24th.

As of today, April 12th, we have only received the items he promised were already in shipment. The e-mail he said Ester sent has never been received. The Library System has been waiting for the order for a total of 29 days. Upstate computers took 14 days to deliver less than 6% of our order total. 94% of our first order with Upstate Computers is still outstanding 19 days later.

Dave Santucci
Senior Account Clerk
LAN: 461-2917
FAX: 461-2919
dsantucci@leegov.com

From: Santucci, David R.
To: "upst@thejnet.com";
CC: Franceschini, Robert D.; George, Shirley;
Subject: MARCH INK/TONER ORDER FOR THE LEE COUNTY LIBRARY SYSTEM
Date: Friday, March 24, 2006 9:14:00 AM
Attachments: Purchase Order for Upstate.pdf
Tax Exempt Certificate effective 8-14-2005.PDF

Good Morning,

My name is Dave Santucci, I'm with the Lee County Library System in Ft. Myers, FL. As you may already know, your company has been awarded the quote for the libraries ink/toner needs. Shirley George and I will be your points of contact for placing orders and billing questions. Attached as a PDF file is a copy of the purchase order and our tax exempt certificate for your records. We look forward to working with you. Please note the following below as it applies to us doing business together.

- Lee County is tax exempt and should not be charged tax.
- The billing address is; Lee County Finance Department
PO Drawer 2238
Fort Myers, FL 33902-2238
- The shipping address is; Library Administration
2345 Union St.
Fort Myers, FL 33901
(239) 461-2917
- We will place orders once a month to keep your shipping costs down, on or around the 15th of each month.
- Please review the terms, conditions, and pricing of your awarded quote. You should have or will be receiving this in the mail. You may also view it online by following this link; http://www.lee-county.com/purchasing/waivers_T7_R245.htm

If you have any questions please don't hesitate to call.

Please process the following order for the Lee County Library System (March Order)

ITEM - QUANTITY

C9720A – 17
C9721A – 2
C9722A – 3
C9723A – 3
C4810A – 3
C4811A – 1
C4812A – 1
C6656A – 38
C6657A – 14
C6658A – 10
C6578D – 34
C3903A – 2
C4844A – 3
51645A – 28
Q5942A – 3
Q5950A – 2
Q5951A – 2
Q5952A – 2
Q5952A – 2
FX7 – 1
FX4 – 1

Thank you,

Dave Santucci

Senior Account Clerk
Lee County Library Administration
2345 Union St.
Fort Myers, FL 33901
LAN: 239-461-2917
FAX: 239-461-2919
dsantucci@leegov.com

From: Santucci, David R.
To: "upst@thejnet.com";
CC: Franceschini, Robert D.; George, Shirley;
Subject: ORDER STATUS?
Date: Tuesday, April 04, 2006 12:30:00 PM
Attachments:

Hi ester,

I was wondering if you could tell me the shipping status of the order I placed on 03/24/2006 for the Lee County Library System. We haven't received it yet.

Thanks,

Dave Santucci

Senior Account Clerk
Lee County Library Administration
2345 Union St.
Fort Myers, Fl 33901
LAN: 239-461-2917
FAX: 239-461-2919
dsantucci@leegov.com

From: Santucci, David R.
To: "upst@thejnet.com";
CC: [Franceschini, Robert D.](#); [George, Shirley](#);
Subject: RE: MARCH INK/TONER ORDER FOR THE LEE COUNTY LIBRARY SYSTEM
Date: Friday, April 07, 2006 8:37:00 AM
Attachments:

Ester,

I still have not received this order. It has been two weeks now. I e-mailed you on Monday and I haven't received a response to my knowledge. When the quote was awarded your company specified delivery within 5 business days. I just left a message on the general voice mail at the number your company provided. We are in desperate need of this order at this point. Please respond ASAP to let me know why the deliver requirement is not being met.

Thank you,

Dave Santucci

Senior Account Clerk
Lee County Library Administration
2345 Union St.
Fort Myers, FL 33901
LAN: 239-461-2917
FAX: 239-461-2919
dsantucci@leegov.com

From: Santucci, David R.
Sent: Friday, March 24, 2006 9:15 AM
To: 'upst@thejnet.com'
Cc: [Franceschini, Robert D.](#); [George, Shirley](#)
Subject: MARCH INK/TONER ORDER FOR THE LEE COUNTY LIBRARY SYSTEM

Good Morning,

My name is Dave Santucci, I'm with the Lee County Library System in Ft. Myers,

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Fort Myers, FL 33901
(239) 461-2917
- We will place orders once a month to keep your shipping costs down, on or around the 15th of each month.
- Please review the terms, conditions, and pricing of your awarded quote. You should have or will be receiving this in the mail. You may also view it online by following this link; http://www.lee-county.com/purchasing/waivers_T7_R245.htm

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C9721A – 2
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C9723A – 3
C4810A – 3
C4811A – 1
C4812A – 1
C6656A – 38
C6657A – 14
C6658A – 10
C6578D – 34
C3903A – 2
C4844A – 3
51645A – 28

Franceschini, Robert D.

From: Franceschini, Robert D.
Sent: Friday, May 26, 2006 3:59 PM
To: Sam Krausz
Cc: Sheehan, Janet K.; Santucci, David R.; Grant, Karin M.; George, Shirley; Franceschini, Robert D.
Subject: NOTICE OF TERMINATION - FORMAL QUOTE NO. Q060062 - PRINTING SUPPLIES FOR THE LIBRARY

5/26/06

Mr. Krausz...

The purpose of this e-mail is to notify you that Lee County is initiating the process to terminate the above referenced Formal Quotation with your firm. Per the "Termination" clause found on page 11 in the General Conditions section of the quotation, you are hereby given 30 calendar days written notice that this quote will be officially terminated with your firm on June 25, 2006. This action is being taken as a result of several vendor complaints which have been logged against your firm since the quote was originally awarded; with no improvement in service or performance on your part; along with continuing problems with delivery of product through the month of May.

Should you have any questions, please feel free to contact me.

Robert D. Franceschini, C.P.M., CPPB
Purchasing Manager
Lee County Purchasing
e-mail: rfranceschini@leegov.com
phone: 239-344-5457
fax: 239-344-5460

5/26/2006

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20060208

1. ACTION REQUESTED/PURPOSE: Approve award of Formal Quotation No. Q-060062 Annual Purchase of Printing Supplies for the Library, to the low quoters meeting specifications as follows: Upstate Computers Corp. for Section A – OEM Product and Marathon Ribbon for Section B – Remanufactured Product, at the prices as listed on the attached Lee County Tabulation Sheet. The initial term of this quote is one year; also request authority to renew this quote for four additional one-year periods, at the same terms and conditions, if in the best interest of Lee County; and to exercise the price escalator clause as per the specifications on an as-needed basis. In the event that the low quoter is unable to establish the effectiveness of their product, request the Purchasing Director be given authority to act on behalf of the Board in the event of vendor non-compliance so that the Purchasing Director can proceed to the next low quoter(s). Funding will be available from the individual department or division's budget whom will be responsible for monitoring their individual expenditures. The Library estimates expending approximately \$100,000 annually for printing supplies. Permission is also requested to negotiate prices for new cartridges with the awarded vendors on an as-needed basis over the term of the quote.

2. WHAT ACTION ACCOMPLISHES: Provides the Library with a reliable source of printing supplies for staff and patron printers located at branches throughout Lee County.

3. MANAGEMENT RECOMMENDATION: Approve as stated.

4. Departmental Category: <i>06 C6H</i>			5. Meeting Date: <i>03-14-2006</i>		
6. Agenda: <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify)		8. Request Initiated:		
	<input type="checkbox"/> Statute		Commissioner		
	<input type="checkbox"/> Ordinance		Department		
	<input checked="" type="checkbox"/> Admin. Code <i>AC-4-1</i>		Division <i>Library</i>		
	<input type="checkbox"/> Other		By: <i>Pete Winton, Acting Director</i>		

9. Background: On December 20, 2005, the Division of Purchasing received sealed quotations for the annual purchase of printing supplies for the Library. On that date, fifteen responses were received. The quotations have been thoroughly reviewed, and a recommendation is being made to award to Upstate Computers Corp. for Section A – OEM Product and Marathon Ribbon for Section B – Remanufactured Product as the low quoters meeting all specification requirements.

Funding is available: KG5710114800.505120

- Please See Attachments:
- (1) Tabulation Sheet
 - (2) Specifications
 - (3) Upstate Computers' Quotation
 - (4) Marathon Ribbon's Quotation
 - (5) Department's Recommendation

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Met.	
<i>[Signature]</i>	<i>[Signature]</i>			<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

11. Commission Action:

Approved
 Deferred
 Denied
 Other

RECEIVED BY
COUNTY ADMIN

2-23-06

11:34

COUNTY ADMIN
FORWARDED TO:

2/23/06

[Signature]

Rec. by CoAtty

Date: *2/22/06*

Time: *9:45 AM*

Forwarded To:

2-22-06