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**TO:** Fruita City Council and Mayor

**FROM:** Parks and Recreation Department

**DATE:** December 20, 2022

**AGENDA TEXT:** City of Fruita Clothing/Merchandise – A notice of award to Merge 2 Media for Clothing and Merchandise needs for 2023

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**BACKGROUND**

The purpose of this agenda item to approve an award to Merge 2 Media, to provide clothing and merchandise needs for 2023. Earlier this year it was identified that numerous divisions and departments were needing screen printing for race shirts, staff shirts, summer camp, athletic uniforms, and Mike the Headless Chicken merchandise. Staff compiled estimated quantities needed for each of their respective departments and that information was provided to prospective vendors.

As required by the City of Fruita’s purchasing policies, three quotes were received for the Clothing and Merchandise needs. Each vendor provided cost for items that they could provide.

For the purpose of public disclosure, Staff wanted to communicate with the Council that Merge 2 Media was selected to fulfill any printing of clothing and merchandise for 2023 as they are the apparent low bidder. Merge 2 Media is a company owned by Mayor Kincaid. City Council does not need to approve the award of this bid. State law and the City Charter do not prohibit such an award. Per Chapter 2.70.020 of the Fruita Municipal Code, however, public disclosure of this award is required. Mayor Kincaid is not allowed to participate in this discussion.

The relevant section for this award is Section C of the Fruita Municipal Code, which reads:

C. Incompatible employment. No official shall engage in private employment with, or render services for, any private person who has business transactions with any public body unless he shall first make full public disclosure of the nature and extent of such employment or services.

A summary of the three quotes that were received is provided on page 2.

**Quotes received:**

The following vendors provided quotes, BSN Sports, First String, and Merge2Media. The Locker Room and Hole in the Wall did not provide a bid by the deadline. The quotes do not represent total amount of contract as that is dependent on what is actually purchased.

