



## Administrative Services

### Purchasing Division

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May 8, 2007

United Site Services of Colorado, Inc.  
Attn: Terrence P. Moriarty  
PO Box 219  
Commerce City, CO 80022

Re: Bid 6052 Portable Toilets Rental & Service

Dear Mr. Moriarty,

Prior to awarding any bid the City of Fort Collins verifies the Responsibility of the vendor to complete the work in accordance with Section 8-160 of the City Code:

*Sec. 8-160. Responsibility of bidders and offerors.*

*(a) In determining whether a bidder or offeror is responsible, the following shall be considered:*

- (1) The ability, capacity and skill of the bidder or offeror to perform the contract or provide the services required;*
- (2) Whether the bidder or offeror can perform the contract or provide the service promptly and within the time specified without delay or interference;*
- (3) The character, integrity, reputation, judgment, experience and efficiency of the bidder or offeror;*
- (4) The quality of the bidder's or offeror's performance of previous contracts or services;*
- (5) The previous and existing compliance by the bidder or offeror with laws and ordinances relating to the contract or service;*
- (6) The sufficiency of the financial resources and ability of the bidder or offeror to perform the contract or provide the service;*
- (7) The quality, availability and adaptability of the materials and services to the particular use required;*
- (8) The ability of the bidder or offeror to provide future maintenance and service for the use of the subject of the contract;*
- (9) Any other circumstances which will affect the bidder's or offeror's performance of the contract.*

The City of Fort Collins experienced poor performance on previous Bid 5918 Portable Toilets Rental & Service. Thorough documentation of problem issues was presented to the point of contact during an in-depth cure meeting in January 2007. Subsequent problems were reported in March 2007, including inadequate cleaning of the units, and complaints from trail users that Service Provider's drivers were speeding on the trails/access roads.

Therefore, United Site Services of Colorado, Inc. is being declared a non-responsible bidder and your bid is being rejected in accordance with the Code of the City of Fort Collins, Section 8-160 (a)(1) (3) (4) (8).

Also, it is our desire to terminate the existing contract with United Site Services for Bid 5918 as of June 1, 2007. This is your 15-day written notice to terminate early; as provided in Section 4 Early Termination by City/Notice in your current Services Agreement with City of Fort Collins. Please make arrangements to remove your existing units from service as of June 1, 2007; units are to remain in service until that date, as per our contract.

If you have questions, please contact Ed Bonnette, C.P.M., CPPB, Buyer at (970) 416-2247.

Sincerely,

James B. O'Neill II, CPPO, FNIGP  
Director of Purchasing and Risk Management