

## **RESOLUTION 2018-122**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE CITY MANAGER TO (1) PURCHASE ONE POLICE PRISONER TRANSPORT VAN WITH EXTENDED WARRANTY AND MAINTENANCE PLAN FOR \$41,978; (2) AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH PUBLIC SAFETY EQUIPMENT TO FULLY OUTFIT THE VEHICLE WITH EMERGENCY EQUIPMENT FOR \$24,555; (3) AUTHORIZE AN ADDITIONAL \$3,326 (APPROXIMATELY 5%) FOR CONTINGENCY FOR A TOTAL PURCHASE AUTHORIZATION OF \$69,859; AND (4) AUTHORIZE THE CITY MANAGER TO FORGO THE FORMAL BID PROCESS PURSUANT TO SAN PABLO MUNICIPAL CODE SECTION 3.16.110 (D) (3)(4)&(5)**

WHEREAS, Budget Spending Controls is an adopted policy item under the FY 2018-21 Council Priority Work plan, effective November 1, 2017;

WHEREAS, this proposed action is not a project under CEQA pursuant to Guidelines Section 15378(b)(2): Continuing administrative or maintenance activities, such as purchases of supplies that will not result in direct or indirect physical changes in the environment, but if deemed a project, then under CEQA Guidelines § 15061(b)(3), in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment;

WHEREAS, in FY 2017/18 the City Council authorized the City Manager to appropriate \$272,730 from the General Fund Designated Reserves (PD Traffic Enforcement Program) to the Vehicle Replacement Fund (102-2110-46300) for the purchase of two motorcycles and two patrol command vehicles at a total cost of \$139,615. Staff further requested City Council to authorize the \$133,115 balance to remain available in the Vehicle Replacement Fund for the purchase of a commercial enforcement truck and prisoner transport van in FY 2018/19. Staff advised they would return to the City Council at a later time to request authorization to make those purchases;

WHEREAS, in July 2018, the Police Department's prisoner transport van became inoperable. Estimates to repair the van exceed the overall value based on model year, mileage and component cost. Absence of this vehicle hampers essential operations of the Police Department and creates increased risk to officer and public safety. Staff requests the immediate procurement of a new prisoner transport van to ensure operational efficiency;

WHEREAS, normally, Municipal Code Section 3.16.080 would require a formal bid process for procurement of equipment in excess of \$25,000. However, San Pablo Municipal Code Section 3.16.110, Exceptions to the bid policy, allows the city to forgo the formal bid process when an emergency requires the immediate procurement of supplies, equipment or services. Such procurements are exempted from the formal and informal bid requirements. An emergency shall be deemed to exist only if: (3) There is a breakdown in

machinery or an essential service which requires the immediate procurement of supplies and equipment to protect the public health, welfare or safety. (4) An essential departmental operation affecting the public health, welfare or safety would be greatly hampered if the prescribed purchase would cause an undue delay in the procurement of the needed item. (5) The city manager determines that an emergency purchase is necessary to ensure operational efficiency and/or fiscal responsibility for the city;

WHEREAS, pursuant to this competitive bidding exception and due to the Police Department's operational emergency, staff requests waiver of the formal bid process and recommends the prisoner transport van be purchased immediately through the Monarch Ford Fleet Group for a cost not to exceed \$41,978 including extended warranty, maintenance package, tax, license and delivery fees. The police department has used Monarch Ford Fleet Group in the past and staff is happy with their service; and

WHEREAS, in June of 2017, City Council approved Public Safety Equipment (PSE) as the current equipment outfitting vendor (Resolution 2017-176). Staff recommends that PSE be awarded the contract to outfit the prisoner transport van with state of the art emergency equipment and a containment insert, including sales tax for a total cost of \$24,555. The Police Department has used PSE in the past to outfit vehicles with emergency equipment and staff is happy with their service.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitations are true and correct, and are included herein by reference as findings.

BE IT FURTHER RESOLVED that the City of San Pablo City Council:

1. Authorizes the City Manager to purchase from the Monarch Ford Fleet Group in Exeter, California one (1) 2018 police prisoner transport van with extended warranty and maintenance plan, for a total cost not to exceed \$41,978;
2. Authorizes the waiver from the formal bid process pursuant to SPMC Section 3.16.110D: (3)There is a breakdown in machinery or an essential service which requires the immediate procurement of supplies and equipment to protect the public health, welfare or safety, (4) an essential departmental operation affecting the public health, welfare or safety would be greatly hampered if the prescribed purchase would cause an undue delay in the procurement of the needed item, (5) the city manager determines that an emergency purchase is necessary to ensure operational efficiency and/or fiscal responsibility for the city);
3. Authorizes the City Manager to execute a purchase order contract with Public Safety Equipment (PSE) to provide specialized services and install emergency equipment on the van for a total cost not-to-exceed \$24,555;
4. Authorizes the City Manager to purchase the requested vehicles using funds from the Vehicle Replacement Fund (102-2110-46300); and

5. Authorizes allocation of a contingency amount of \$3,326 (approximately 5%) for the vehicle purchase and equipment outfitting for a total authorization of \$69,859.

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ADOPTED this 17<sup>th</sup> day of September, 2018, by the following vote:

AYES:	COUNCILMEMBERS:	Cruz, Kinney and Calloway
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Valdez and Morris
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:	APPROVED:
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/s/ Elizabeth Pabon-Alvarado  
Elizabeth Pabon-Alvarado, City Clerk

/s/ Genoveva Garcia Calloway  
Genoveva Garcia Calloway, Mayor