

## RESOLUTION 2018-033

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO TO: (1) DECLARE CERTAIN POLICE DEPARTMENT VEHICLES AS SURPLUS PROPERTY AND BE DISPOSED OF PURSUANT TO SAN PABLO MUNICIPAL CODE SECTION 3.16.120; (2) RECEIVE APPROXIMATELY \$95,921 AS REVENUE INTO THE GENERAL FUND FOR DAMAGE CLAIMS TO VEHICLES AND APPROPRIATE SAID FUNDING TO THE POLICE DEPARTMENT FOR THE PURCHASE OF REPLACEMENT VEHICLES; (3) APPROPRIATE \$400,000 FROM THE GENERAL FUND DESIGNATED RESERVES / VEHICLE REPLACEMENT TO THE POLICE DEPARTMENT TO FUND PURCHASE OF VEHICLES; (4) TRANSFER FUNDING OF \$19,575 FROM THE POLICE DEPARTMENT EQUIPMENT MAINTENANCE BUDGET TO THE CAPITAL EQUIPMENT BUDGET TO COMPLETE THE FUNDING; (5) AUTHORIZE THE CITY MANAGER TO PURCHASE NINE (9) 2018 FORD EXPLORER UTILITY VEHICLES EQUIPPED WITH RADIOS, EMERGENCY EQUIPMENT, DECAL GRAPHICS, EXTENDED WARRANTY AND MAINTENANCE PACKAGE FOR THE SUM OF \$490,496 FROM THE MONARCH FORD FLEET GROUP UNDER THE STATE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES CONTRACT 1-15-23-14B WITH A CONTINGENCY AMOUNT OF \$25,000 (APPROXIMATELY 5%) FOR UNFORESEEN EXPENDITURES FOR A TOTAL AUTHORIZATION OF \$515,496; (6) RECEIVE A WAIVER FROM THE FORMAL BID PROCESS PURSUANT TO SPMC SECTION 3.16.110B (SPECIALIZED SERVICES COMBINED WITH EQUIPMENT AND/OR PRODUCTS) TO OUTFIT THE VEHICLES WITH SAFETY EQUIPMENT; AND (7) AUTHORIZE THE CITY MANAGER TO EXECUTE A PURCHASE ORDER CONTRACT WITH PUBLIC SAFETY EQUIPMENT FOR \$118,872**

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

WHEREAS, this proposed action is not a project under CEQA pursuant to Guidelines Section 15378(b)(5): Organizational or administrative activities of governments 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; and

WHEREAS, Police vehicles #813 (2000 model year/100,000 miles), #814 (2000/100,000 miles), #862 (2011/90,000 miles), #849 (2007/85,000 miles), #855 (2009/98,936 miles), #857 (2009/90,072 miles), #858 (2009/95,000 miles), and #859 (2011/98,936 miles) are the oldest vehicles in the fleet. These vehicles require expensive upkeep and maintenance where the cost of repair outweighs their actual value. Due to their age, mileage, and condition, it is the desire of the Police Department to declare these vehicles surplus and dispose of them pursuant to San Pablo Municipal Code section 3.16.120; and

WHEREAS, the San Pablo Municipal Code 3.16.120 states: "All using departments shall submit to the purchasing officer, at such times and in such form as he shall prescribe, reports showing all supplies and equipment which are no longer used or which have become obsolete or worn out. The purchasing officer shall have authority to exchange or trade in all such supplies, equipment and materials; to sell by public auction, sealed bid, or agreement with other public agencies; or sell by direct negotiated agreement, or on a consignment basis. In the event the purchasing officer determines that any such obsolete or surplus property has no salvage value, he may dispose of it as he deems advisable;" and

WHEREAS, staff requests that Council authorize the City Manager to purchase nine (9) 2018 Ford Explorer Utility vehicles equipped with radios, emergency equipment, decal graphics, extended warranty and maintenance package for the sum of \$490,496 from the Monarch Ford Fleet group in Exeter, California under the State of California Department of General Services contract 1-15-23-14B (cooperative purchasing agreement) to replace the surplus vehicles and improve the reliability, efficiency, and safety of the fleet; and

WHEREAS, The State of California Department of General Services Contract 1-15-23-14B provides Ford Police Interceptor Utility SUVs at contracted pricing to the State of California and local governmental agencies in accordance with the requirements of Contract 1-15-23-14B. The Contractor shall supply the entire portfolio of products as identified in the contract and will be the primary point of contact for data collection, reporting, and distribution of Ford Police Interceptor Utility SUVs to the State;

WHEREAS, on June 30, 2015, the State of California Contract 1-15-23-14B became effective and will expire on June 29, 2018; and

WHEREAS, San Pablo Municipal Code section 3.16.110.E. (Cooperative Purchasing) allows the City to forego a formal bid process for the purchase of equipment, materials, supplies and services, and buy said equipment directly from a vendor if the price was established by competitive bidding by another public jurisdiction ("piggybacking"). Staff requests approval to make such purchases from the Monarch Ford Fleet Group based on the competitively bid contract by the State of California Department of General Services Division. The nine (9) desired vehicles purchased from the Monarch Ford Fleet Group through The State of California Master Vehicle Contract totals \$346,256 including extended warranty and vehicle maintenance plan, sales tax, tire tax, and transporter fees; and

WHEREAS, the City's current communications vendor, Red Cloud, will provide five (5) patrol car radios including programming for the sum of \$25,367; and

WHEREAS, staff is requesting a waiver to forgo the formal bid process for the installation of emergency equipment on the new police vehicles. There are very few emergency vehicle outfitters in the bay area specializing in police vehicles. One located in Hollister Ca, is too far away to accommodate routine maintenance, one in Concord Ca, who cannot provide service and parts in a timely manner, and one in San Leandro who we've used in the past and are very pleased with, Public Safety Equipment (PSE). In June 2017, PSE was selected to replace our former emergency equipment installer in Concord Ca, due



to their inability to adequately provide specialized equipment and installation of parts and materials in a timely manner. PSE has provided exceptional service and equipment and outfitted several new San Pablo police cars in a timely and cost effective manner. San Pablo Municipal Code section 3.16.110B, Specialized Services Combined With Equipment and/or Products, allows the City to forego a formal bid process for the acquisition and/or installation of equipment, intellectual property or other tangible products and the retention of specialized services, such as consulting, training, installing, maintaining or servicing the products, which are an integral or important part of the use, operation, or functionality of the products. Staff is confident PSE will continue providing specialized services and complete the installation of emergency equipment and graphics on all nine vehicles; and

WHEREAS, staff also seeks for City Council approval to authorize the City Manager to execute a purchase order contract with PSE for the sum of \$118,872; and

WHEREAS, the total cost of the nine (9) vehicles, radios, emergency equipment installation and six (6) sets of SPPD decal graphics (including sales tax, tire tax, transporter fees, and shipping) is \$490,496 with a contingency amount of \$25,000 (approximately 5%) to cover any unanticipated costs of additional equipment and installation issues for a total authorization of \$515,496; and

WHEREAS, \$46,361 of the needed funds have been received as revenue into the General Fund (100-0000-39904). This same amount will be appropriated to the Police Department budget for capital equipment (100-2110-46300). These funds were paid insurance claims for damaged or total-loss Police Department vehicles during FY 2017/18; and

MPA Claim Number	Check #	Issue Date	Amount
VDC-725	31739	8/24/17	\$31,838
VDC-765	31739	8/24/17	\$11,523
VDC-765	31800	9/23/17	\$3,000
			Total \$46,361

WHEREAS, the City's joint risk pool, Municipal Pooling Authority, is processing an estimated additional \$49,560 in police vehicle damage claims which are pending payment to the City. Staff requests these funds likewise be recognized as revenue in the General Fund (100-0000-39904) and be appropriated in the same amount to the Police Department Capital Equipment line item (100-2110-46300) for the purpose of funding this agreement; and

MPA Claim Number	Check #	Issue Date	Amount
VDC-784	TBD	TBD	\$17,000
VDC-788	TBD	TBD	\$19,000
VDC-793	TBD	TBD	\$7,462
VDC-795	TBD	TBD	\$6,098
			Total \$ 49,559

WHEREAS, another \$400,000 will be appropriated from the General Fund Designated Reserves / Vehicle Replacement to the Police Department Equipment line item (100-2110-46300) to fund the purchase, and the approximate remaining \$19,575 balance will be re-appropriated from the Police Department Vehicle Equipment Maintenance line item (100-2110-43000) to the Police Department Capital Equipment line (100-2110-46300) to complete the funding.

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 authorizes the following:

1. Authorize the disposal of Police Department vehicles #813, #814, #849, #855, #857, #858 and #859 as surplus property pursuant to San Pablo Municipal Code 3.16.120.
2. Receive approximately \$95,921 as revenue into the General Fund for Damage Claims to vehicles (100-0000-39904), and appropriate the same amount into the Police Department Capital Equipment budget (100-2110-46300) to fund the purchase.
3. Appropriate another \$400,000 from the General Fund Designated Reserves / Vehicle Replacement to the Police Department Capital Equipment line item (100-2110-46300) for the purchase.
4. Authorize the transfer of an additional \$19,575 from the Police Department Equipment & Maintenance line item (100-2110-43000) to the Police Department Capital Equipment line item (100-2110-46300) to complete the funding.
5. Authorize the City Manager to purchase nine (9) 2018 Ford Explorer Police Utility Vehicles including emergency equipment, decal graphics, extended warranty, maintenance package, radios and complete outfitting in order to maintain a sound and reliable patrol vehicle fleet for \$490,496 with a contingency amount of \$25,000 (approximately 5%) for a total authorization of \$515,496.
6. Authorize the City Manager to purchase the requested vehicles from the Monarch Ford Fleet group in Exeter California under the State of California Department of General Services contract 1-15-23-14B; and thus waive the requirement for a separate formal bid process pursuant to San Pablo Municipal Code section 3.16.120.

7. Authorize the City Manager to receive a waiver from the formal bid process pursuant to SPMC Section 3.16.110B (Specialized Services Combined with Equipment and/or Products) for the installation of safety equipment on all nine cars.
8. Authorize the City Manager to execute a purchase order contract with Public Safety Equipment (PSE) to provide specialized services and install emergency equipment on all nine cars for a total cost not-to-exceed \$118,872.

\* \* \* \* \*

ADOPTED this 5<sup>th</sup> day of March, 2018, by the following vote:

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

ATTEST:

APPROVED:



Elizabeth Pabon-Alvarado, City Clerk



Genoveva Garcia Calloway, Mayor