

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

RESOLUTION NO. RES-09-0065

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO PURCHASE FOUR CASE 590SM BACKHOES THROUGH THE AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND DENARDI MACHINERY, INC. DBA D3 EQUIPMENT

WHEREAS, the Charter of the City of Long Beach (the "City"), Section 1802, permits the City to purchase services, supplies, materials, equipment and labor with other government agencies by purchasing under their contracts on a voluntary and selective basis when authorized by resolution; and

WHEREAS, the City desires to purchase four (4) Case 590SM Backhoes ("Backhoes"); and

WHEREAS, the City of San Diego has an Agreement for the purchase of these Backhoes, Bid No. 6214-04-Z ("San Diego Agreement"); and

WHEREAS, the City's participation in the San Diego Agreement will facilitate acquisition of these Backhoes as well as provide considerable cost benefits to the City; and

WHEREAS, if the City had to go to formal bid rather than participate in the San Diego Agreement considerably more funds would be required;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

1. The above recitals are true and correct and are incorporated herein by this reference.
2. The City Manager of the City is hereby authorized to enter an agreement with Denardi Machinery, Inc. dba D3 Equipment to purchase four (4) 590SM

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1 Backhoes of substantially the same type and kind purchased by the City of San Diego  
2 pursuant to the San Diego Agreement except as modified by mutual agreement of the  
3 City and Denardi Machinery, Inc. dba D3 Equipment, and the purchase by the City shall  
4 be on the same terms and conditions afforded to the City of San Diego in an amount not  
5 to exceed \$383,346, including tax, with a ten percent (10%) contingency for equipment  
6 adjustments if necessary, for a period extending until the warranty on the Backhoes  
7 expire.

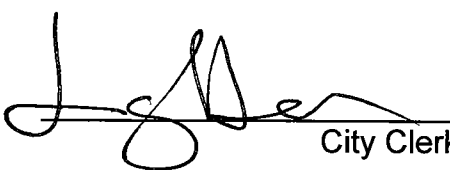
8 3. This resolution shall take effect immediately upon its adoption by the  
9 City Council, and the City Clerk shall certify the vote adopting this resolution.

10 I hereby certify that the foregoing resolution was adopted by the City  
11 Council of the City of Long Beach at its meeting of July 7, 2009 by the  
12 following vote:

13  
14 Ayes: Councilmembers: Garcia, S. Lowenthal, O'Donnell,  
15 Schipske, Andrews, Reyes Uranga,  
16 Gabelich, Lerch.

17  
18 Noes: Councilmembers: None.

19  
20 Absent: Councilmembers: DeLong.

21  
22  
23  
24   
25 City Clerk