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

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

RESOLUTION NO. RES-09-0135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MCNEILUS TRUCK AND MANUFACTURING, INC. WITHOUT ADVERTISING FOR BIDS, FOR THE PURCHASE OF **MCNEILUS PARTS FOR** THE REPAIR AND MAINTENANCE OF CITY VEHICLES FOR ONE YEAR. WITH AN OPTION TO RENEW FOR TWO ADDITIONAL YEARS, IN AN ANNUAL AMOUNT NOT TO EXCEED \$275,000

WHEREAS, the City currently owns Sixty-Nine (69) McNeilus refuse trucks and Eighteen (18) more units are on order; and

WHEREAS, the City will need replacement parts for the repair and maintenance of these refuse trucks; and

WHEREAS, McNeilus Truck and Manufacturing, Inc. is the sole manufacturer for the parts the City needs to maintain its McNeilus refuse trucks and the company does not utilize independent distributors; and

WHEREAS, as a result, no useful purpose would be served by advertising for bids and to do so would constitute an idle and useless act and an unnecessary expenditure of public funds because McNeilus Truck and Manufacturing, Inc. is the only corporation, firm or individual that could or would bid for the furnishing of these parts to the City;

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

Section 1. The City Manager is hereby authorized to enter a contract

with McNeilus Truck and Manufacturing, Inc. without advertising for bids for the purchase of replacement parts for the McNeilus refuse trucks as may be required by the City for a period of one (1) year in an amount not to exceed \$275,000, annually, including tax, with an option for a 10 percent (10%) contingency (or \$27,500), if necessary and if funds are available. The parties may, by mutual agreement, extend the term for two (2) additional periods of one (1) year each at the same annual amount. If the sole source status of McNeilus Truck and Manufacturing, Inc. changes, City shall publicly bid instead of extending the agreement.

Section 2. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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

Ayes:	Councilmembers:	dareta, howenenal, belong,
·		O'Donnell, Schipske, Andrews,
		Reyes Uranga, Gabelich, Lerch.
Noes:	Councilmembers:	None.
Absent:	Councilmembers:	None.

