

C-16

May 2, 2023

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution authorizing the City Manager, or designee, to execute a contract with Haaker Equipment Company, of La Verne, CA, for providing Elgin Pelican street sweeper parts and repair services, in an annual amount of \$525,000, and authorize a 10 percent contingency of \$52,500, for a total annual amount not to exceed \$577,500, for a period of two years, with the option to renew for three additional one-year periods, at the discretion of the City Manager; and, authorize the City Manager, or designee, to execute all documents necessary to enter into this contract, including any necessary subsequent amendments; and,

Increase appropriations in the Fleet Services Fund Group in the Financial Management Department by \$157,500, offset by funds available generated by the revenue received through the Fleet Memorandum of Understanding. (Citywide)

DISCUSSION

City Council approval is requested to enter into a contract with Haaker Equipment Company for the purchase of Elgin Pelican street sweeper parts and repair services to support the Public Works Department.

The Street Sweeping Program operates 18 alternative-fueled Elgin street sweepers throughout the City of Long Beach (City) and cleans over 160,000 miles of curbs and gutters annually. The Fleet Services Bureau (Fleet), in the Department of Financial Management, maintains and repairs these units as part of the City's fleet maintenance program. The City's fleet of Elgin Pelican sweepers are maintenance-intensive and require regular service and parts to sustain street sweeping operations and are one year past their useful life. Currently, Fleet technicians provide daily inspection, parts replacement, and preventive maintenance for the 18 sweepers currently in operation. Additional service assistance is needed for breakdowns that occur more frequently in the older units.

Haaker Equipment Company is the sole authorized distributor for Elgin Pelican street sweeper parts in the region and is the only authorized dealer in Southern California able to perform warranty work on the Elgin Pelican street sweepers. Part replacement work

requires the use of proprietary software, which is only accessible by authorized distributors.

City Charter Section 1801 requires that contracts for City purchases be awarded to the lowest responsible bidder after a competitive bid process, but allows for awards without a competitive bid process if accompanied by a Resolution adopted by the City Council.

The previous contract was authorized by the City Council in October 2018, for Elgin sweeper parts only, in an annual amount not to exceed \$440,000, with the option to renew for three additional one-year periods. In April 2019, the City Council authorized to add maintenance services and to increase of the annual contract amount not to exceed \$577,500. The amount requested with this action mirrors the previous contract amount. Additional appropriation is required for budget to match the proposed contract spending authority.

This matter was reviewed by Deputy City Attorney Anita Lakhani on April 13, 2023, Purchasing Agent Michelle Wilson on April 10, 2023 and by Revenue Management Officer Geraldine Alejo on April 14, 2023.

SUSTAINABILITY

Maintenance of the City's street sweepers, including replacement of worn parts, ensures optimal efficiency (lowest carbon emissions possible), operational performance, and safety requirements for operators and the public.

TIMING CONSIDERATIONS

City Council action to adopt a Resolution and award a contract concurrently is requested on May 2, 2023, to ensure a new contract is in place expeditiously.

LEVINE ACT

This item is subject to the Levine Act. The Mayor, Councilmembers, and Commissioners who have received a contribution of more than \$250 within 12 months prior from a party, participant, or their representatives involved in this proceeding may do either of the following: (1) disclose the contribution on the record and recuse themselves from this proceeding; OR (2) return the portion of the contribution that exceeds \$250 within 30 days from the time the elected official knew or should have known about the contribution and participate in the proceeding.

All parties, participants, and their representatives must disclose on the record of this proceeding any contribution of more than \$250 made to the Mayor or any Councilmembers within 12 months prior to the date of the proceeding. The Mayor, Councilmembers, and Commissioners are prohibited from accepting, soliciting, or directing a contribution of more than \$250 from a party, participant, or their

representatives during a proceeding and for 12 months following the date a final decision is rendered.

FISCAL IMPACT

The total annual contract amount will not exceed \$577,500, including a 10 percent contingency, and will be paid for by the Fleet Services Fund Group in the Financial Management Department. Of this amount, an appropriation increase of \$157,500 is requested in the Fleet Services Fund Group in the Financial Management Department, offset by funds available generated by revenues received from user departments. Parts and repair costs for street sweepers are charged to user departments and are collected as part of the Fleet Services Memorandum of Understanding (MOU) billing process. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with current City Council priorities.


SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


KEVIN RIPER
DIRECTOR
FINANCIAL MANAGEMENT

APPROVED:



THOMAS B. MODICA
CITY MANAGER

LEVINE ACT DISCLOSURE STATEMENT

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits any Long Beach City Councilmember, the Mayor, and Commissioner ("City Officer") from participating in any action related to a proceeding if they receive any political contributions totaling more than \$250 within the previous twelve months, while a proceeding is pending, and for 12 months following the date a final decision in a proceeding concerning a license, permit, entitlement, franchise or, contract (collectively "license, permit, or contract") has been made, from the person or company awarded the said license or contract. The Levine Act also requires a City Officer that has received such a contribution to disclose the contribution on the record of the proceeding.

City Officers are listed at the following sites:

- The Mayor and Councilmembers - <https://www.longbeach.gov/officials/>
- Harbor Commissioners - <https://polb.com/commission>
- Water Commissioners - <https://lbwater.org/about-us/current-water-commissioners/>
- Planning Commissioners - <https://www.longbeach.gov/mayor/action/commissions/>
- Parks and Recreation Commissioners - <https://www.longbeach.gov/mayor/action/commissions/>
- Board of Examiners, Appeals, and Condemnation - <https://www.longbeach.gov/mayor/action/commissions/>
- Cultural Heritage Commission - <https://www.longbeach.gov/mayor/action/commissions/>
- Long Beach Community Investment Company - <https://www.longbeach.gov/lbds/hn/lbcic/>

Proposers are responsible for accessing these links to review the names prior to answering the following questions.

1. Have you or your company, or any agent on behalf of you or your company, made any political contributions of more than \$250 to any City Officer in the 12 months preceding the date of the submission of your proposals or the anticipated date of any City Council, Board, or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the City Officer(s):

2. Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contribution of more than \$250 to any City Officer in the 12 months following any City Council, Board, or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the City Officer(s):

Answering yes to either of the two questions above does not preclude the City of Long Beach from awarding a license, permit, or contract to your firm or any taking any subsequent action related to the said license, permit, or contract. It does, however, preclude the identified City Officers from participating in any actions related to this license, permit, or contract.

Date



Signature of authorized individual

Type or write name of authorized individual

Type or write name of company

1 RESOLUTION NO.
2

3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH AUTHORIZING THE CITY
5 MANAGER TO EXECUTE A CONTRACT WITH HAAKER
6 EQUIPMENT COMPANY, WITHOUT ADVERTISING FOR
7 BIDS, FOR ELGIN PELICAN STREET SWEEPER PARTS
8 IN AN ANNUAL AMOUNT NOT TO EXCEED \$525,000,
9 AND A CONTINGENCY OF 10% (\$52,500), FOR A TOTAL
10 NOT TO EXCEED AMOUNT OF \$577,500 FOR A PERIOD
11 OF TWO YEARS WITH THE OPTION TO RENEW FOR
12 THREE ADDITIONAL ONE-YEAR PERIODS
13

14 WHEREAS, the City operates eighteen alternative-fueled Elgin Pelican
15 street sweepers throughout the City; and

16 WHEREAS, the Fleet Services Bureau maintains and repairs these Elgin
17 Pelican street sweepers as part of the City's fleet maintenance program; and

18 WHEREAS, in the maintenance of said Elgin Pelican street sweepers, City
19 will need replacement parts for the repair of said street sweepers; and

20 WHEREAS, Haaker Equipment Company is the sole distributor in Southern
21 California for replacement parts for the Elgin Pelican street sweepers; and

22 WHEREAS, as a result, no useful purpose would be served by advertising
23 for bids and to do so would constitute an idle and useless act and an unnecessary
24 expenditure of public funds;

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

27 Section 1. The City Manager is hereby authorized to enter a contract
28 with Haaker Equipment Company for the purchase of replacement parts for the repair of

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

1 Elgin Pelican street sweepers in an annual sum not to exceed Five Hundred Twenty Five
2 Thousand Dollars (\$525,000), with a ten-percent (10%) contingency in the amount of
3 Fifty Two Thousand Five Hundred Dollars (\$52,500) annually, for a total annual amount
4 not to exceed Five Hundred and Seventy-Seven Thousand Five Hundred Dollars
5 (\$577,500) for a period of two years, without advertising for bids, with the option to renew
6 for three additional one-year periods at the discretion of the City Manager.

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

9 I hereby certify that the foregoing resolution was adopted by the City
10 Council of the City of Long Beach at its meeting of _____, 2023 by the
11 following vote:

12
13 Ayes: Councilmembers: _____
14 _____
15 _____
16 _____

17 Noes: Councilmembers: _____
18 _____

19 Absent: Councilmembers: _____
20 _____

21
22
23 _____
City Clerk

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27
28