



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard 6th Floor • Long Beach, CA 90802 • (562) 570-6845 • Fax (562) 570-5836

February 19, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt the attached Resolution authorizing the City Manager to execute a contract with McNeilus Truck and Manufacturing, of Colton, CA (not an MBE, WBE, SBE, or Local), to provide refuse truck cab parts, in an annual amount not to exceed \$275,000, for a period of two years, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (Citywide)

DISCUSSION

City Council approval is requested to enter into an annual contract with McNeilus Truck and Manufacturing for the purchase of refuse truck cab parts needed to support the Department of Public Works, Environmental Services Bureau (ESB) Refuse Collection Program. ESB operates 82 diesel and LNG-fueled refuse trucks throughout the City that remove over 11.6 pounds of solid waste per person per day.

The Department of Financial Management, Fleet Services Bureau, maintains and repairs these units as part of the City's fleet maintenance program. McNeilus Truck and Manufacturing is the sole source provider of McNeilus-manufactured parts in California, and is the only Original Equipment Manufacturer (OEM) of McNeilus parts for the United States. The City must purchase McNeilus replacement parts for refuse truck cabs to maintain its equipment.

Since the currently contracted provider, McNeilus Truck and Manufacturing, is the only provider for McNeilus parts, no useful purpose would be served by advertising for bids and to do so would be deemed as an unnecessary expenditure of public funds and staff time.

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 City Council.

This matter was reviewed by Deputy City Attorney Amy R. Webber on January 16, 2013 and Budget Management Officer Victoria Bell on January 31, 2013.

TIMING CONSIDERATIONS

City Council action to adopt the attached Resolution and approve this contract is requested on February 19, 2013, to ensure the availability of parts required to effectively maintain City equipment and services to the public.

FISCAL IMPACT

The total cost of this contract, in the amount of \$275,000, is budgeted in the Fleet Services Fund (IS 386) and in the Department of Financial Management (FM). The costs are funded by user charges to the Refuse Fund (EF 330). There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN GROSS
DIRECTOR OF FINANCIAL MANAGEMENT

JG:ES
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ATTACHMENT

APPROVED:



PATRICK H. WEST
CITY MANAGER

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

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 MCNEILUS
6 TRUCK AND MANUFACTURING, INC., WITHOUT
7 ADVERTISING FOR BIDS, FOR THE PURCHASE OF
8 REFUSE TRUCK CAB PARTS FOR A PERIOD OF TWO
9 YEARS, WITH AN OPTION TO RENEW FOR TWO
10 ADDITIONAL ONE-YEAR PERIODS, IN AN ANNUAL
11 AMOUNT NOT TO EXCEED \$275,000
12

13 WHEREAS, the City currently operates eighty-two (82) diesel and LNG-
14 fueled refuse trucks; and

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

17 WHEREAS, McNeilus Truck and Manufacturing, Inc. is the sole provider of
18 McNeilus factory manufactured parts, which the City needs to maintain its McNeilus
19 refuse trucks; and

20 WHEREAS, McNeilus Truck and Manufacturing, Inc. is the only distribution
21 center in southern California and does not utilize independent distributors; 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 because McNeilus Truck and Manufacturing, Inc. is the only
25 corporation, firm or individual that could or would bid for the furnishing of these parts to
26 the City;

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

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

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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 refuse truck cab parts for the McNeilus refuse trucks as may be required by the City for a period of two (2) years in an amount not to exceed \$275,000, annually, including tax. 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 _____, 20__ by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk