

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

RESOLUTION NO. RES-08-0118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO PURCHASE FROM MERRIMAC ENERGY GROUP UNLEADED, DIESEL, BIO-DIESEL, AND JET A FUEL THROUGH THE AGREEMENTS BETWEEN SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT FOR UNLEADED FUEL, FOOTHILL TRANSIT AGENCY FOR DIESEL FUEL, CITY OF ANAHEIM FOR BIO-DIESEL AND LOS ANGELES COUNTY FOR JET A FUEL

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 unleaded, diesel, bio-diesel and Jet A fuel; and

WHEREAS, Merrimac Energy Group has an Agreement with Saddleback Unified School District for the purchase of Unleaded 87-Octane Gasoline, Agreement No. 05-26 ("Saddleback Agreement"); and

WHEREAS, Merrimac Energy Group has a Master Agreement Purchase Order with the City of Anaheim for the purchase of B20, Bio-Diesel, Agreement No. MA 106 400204 ("Anaheim Agreement"); and

WHEREAS, Merrimac Energy Group has a Contract with Foothill Transit for the purchase of Ultra Low Sulfur Diesel, Contract No. 07-028 ("Foothill Contract"); and

WHEREAS, Merrimac Energy Group has a Contract with the County of Los Angeles to purchase Jet A Fuel, Contract No. 226573 ("LA Contract"); and

1 WHEREAS, the City's participation in the Saddleback Agreement, Anaheim
2 Agreement, Foothill Contract and LA Contract will facilitate acquisition of unleaded,
3 diesel, bio-diesel and Jet A fuel as well as provide considerable cost benefits to the City;
4 and

5 WHEREAS, if the City had to go to formal bid rather than participate in the
6 Saddleback Agreement, Anaheim Agreement, Foothill Contract and LA Contract
7 considerably more funds would be required;

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

10 1. The above recitals are true and correct and are incorporated herein
11 by this reference.

12 2. The City Manager of the City is hereby authorized to enter an
13 agreement with Merrimac Energy Group to purchase unleaded, diesel, bio-diesel and Jet
14 A fuel, of substantially the same type and kind purchased by the Saddleback Agreement,
15 Anaheim Agreement, Foothill Contract and LA Contract except as modified by mutual
16 agreement of the City and Merrimac Energy Group, and the purchase by the City shall be
17 on the same terms and conditions afforded to Saddleback Valley Unified School District,
18 Foothill Transit Agency, City of Anaheim and Los Angeles County in an amount not to
19 exceed \$4,500,000.00, including tax, for one year, with the option of renewing for two
20 additional one-year periods, plus a 25% contingency if necessary and funds are
21 available, for a period extending until the warranty expires.

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

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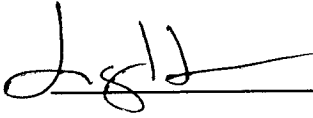
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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of September 23, 2008 by the following vote:

Ayes: Councilmembers: S. Lowenthal, DeLong, O'Donnell,
Schipske, Andrews, Gabelich,
Reyes Uranga.

Noes: Councilmembers: None.

Absent: Councilmembers: B. Lowenthal, Lerch.



City Clerk

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