

RESOLUTION NO. 2017-103

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING PURCHASE OF TWO (2) NOT YET FULLY EQUIPPED 2017 CHEVROLET CAPRICE POLICE VEHICLES FROM PENINSULA CHEVROLET CADILLAC OF SEASIDE, CALIFORNIA, AND THE SAFETY EQUIPMENT NECESSARY TO FULLY EQUIP THE VEHICLES, WITHOUT COMPETITIVE BIDDING, FINDING THAT COMPETITIVE BIDDING WOULD BE UNAVAILABLE, WOULD NOT PRODUCE AN ADVANTAGE AND WOULD NOT BE IN THE PUBLIC INTEREST, AUTHORIZING FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES AND AUTHORIZING CITY MANAGER TO EXECUTE PURCHASE ON BEHALF OF CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

WHEREAS, At the regular meeting of July 18, 2017, City Council adopted Resolution 2017-63 approving the FY 2017-18 budget, and;

WHEREAS, the City's Vehicle Maintenance Program recommends service life based on vehicle type and usage and recommends the retirement and disposition of such vehicles based on estimated life and/or retirement mileage, and;

WHEREAS, the FY 2017-18 budget does contain funding for the purchase of two (2) Fully Equipped 2017 Chevrolet Caprice Police Vehicles, and;

WHEREAS, Court decisions and Marina Municipal Code Chapter 3.16, Section 3.16.040, Bidding Required – Exceptions, provides that bidding procedures shall be dispensed with when the City Council finds by resolution that competitive bidding would be unavailable, would not produce an advantage and would not be in the public interest and;

WHEREAS, Pursuant to City of Marina Resolution No. 95-75, the City of Marina is authorized to use the State of California Cooperative Purchasing System to obtain equipment from the State of California Department of General Services (DGS), and;

WHEREAS, The Chevrolet Caprice Police Vehicle is not currently listed on State of California, Department of General Services (DGS) vehicles list even though it is a police vehicle, and;

WHEREAS, The Police Department solicited bids from four dealerships. Of the four dealerships solicited, only two provided offers. Peninsula Chevrolet Cadillac of Seaside, California quoted the vehicles at \$ 29,378 per vehicle plus taxes and documentation fees. Folsom Chevrolet of Folsom, California quoted the vehicles at \$ 29,975 per vehicle plus taxes and documentation fees, and;

WHEREAS, during the request for bids, the Marina Police Department learned that the County of Santa Clara completed a formal RFP for five (5) Chevrolet Caprice Police Package. Three dealers requested the RFP, and only two dealerships submitted bids. The contract was awarded to Folsom Chevrolet as it was the lowest bidder. Folsom Chevrolet submitted a bid charging \$29,975 per vehicle plus taxes and documentation fees. The pricing offered by Peninsula Chevrolet Cadillac of Seaside is lower than the lowest bid received by the County of Santa Clara for the purchase of five (5) vehicles, and;

WHEREAS, for the City to use the competitive bidding process would involve City staff time, and;

WHEREAS, it would also result in a delay of two (2) to three (3) months would result from City Council approval to call for bids, individual item bid document specification preparation, bid advertising, opening, City Council awarding of bids, and it is unlikely that significantly lower prices would result, and;

WHEREAS, A fully equipped police patrol vehicle includes the purchase and installation of all emergency, safety, communications and video equipment necessary. It includes a data radio, light bar, communications radio, mobile digital computer, digital video system, and all accessories necessary to install the mentioned equipment; These are only available from a single source as they are standardized to Marina Police Department's vehicles, and have been previously approved for purchase as sole source from Whelen L.E.D. (Resolution 2007-75), Data 911 MS Mobile Data (Resolution 2007-104), and L3 Communications Mobile Vision Inc. (Resolution 2007-150). The total cost of the safety equipment, per vehicle, is approximately \$37,975.

WHEREAS, funding is available within the FY 2017-18 budget General Fund, Police Department Budget, Capital Outlays-Vehicles Account No. 100.210.211.6700.130, and will not need to be appropriated.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Adopt Resolution No. 2017-, approving the purchase of three not fully equipped 2017 Chevrolet Caprice police vehicles from Peninsula Chevrolet Cadillac of Seaside, California and the safety equipment necessary to fully equip the vehicles, waiving the City's formal bid process; finding that competitive bidding would be unavailing, would not produce an advantage and would not be in the public interest;
2. Authorize the Finance Director to make necessary accounting and budgetary entries, and;
3. Authorize the City Manager to execute purchase agreements in an amount not to exceed \$130,000 on behalf of the City subject to final review and approval by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 21st day of November 2017 by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Morton, O'Connell, Brown, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

David W. Brown, Mayor Pro-Tem

ATTEST:

Anita Sharp, Deputy City Clerk

November 13, 2017

Agenda Item: **8f(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of November 21, 2017

RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2017-, APPROVING PURCHASE OF TWO (2) NOT YET FULLY EQUIPPED 2017 CHEVROLET CAPRICE POLICE VEHICLES FROM PENINSULA CHEVROLET CADILLAC OF SEASIDE, CALIFORNIA, AND THE SAFETY EQUIPMENT NECESSARY TO FULLY EQUIP THE VEHICLES, WAIVING THE CITY'S FORMAL BID PROCESS, FINDING THAT COMPETITIVE BIDDING WOULD BE UNAVAILING, WOULD NOT PRODUCE AN ADVANTAGE AND WOULD NOT BE IN THE PUBLIC INTEREST, AUTHORIZING FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES AND AUTHORIZING CITY MANAGER TO EXECUTE PURCHASE ON BEHALF OF CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

REQUEST:

It is requested that the City Council:

1. Consider adopting Resolution No. 2017-, approving the purchase of two not fully equipped 2017 Chevrolet Caprice police vehicles from Peninsula Chevrolet Cadillac of Seaside, California and the safety equipment necessary to fully equip the vehicles, waiving the City's formal bid process; finding that competitive bidding would be unavailing, would not produce an advantage and would not be in the public interest;
2. Authorize the Finance Director to make necessary accounting and budgetary entries, and;
3. Authorize the City Manager to execute purchase agreements in an amount not to exceed \$150,000 on behalf of the City subject to final review and approval by the City Attorney.

BACKGROUND:

At the regular meeting of July 18, 2017, City Council adopted Resolution 2017-63 approving the FY 2017-18 budget.

The City's Vehicle Maintenance Program recommends service life based on vehicle type and usage and recommends the retirement and disposition of such vehicles based on estimated life and/or retirement mileage.

The City's 2013 update of the comprehensive citywide fleet maintenance and replacement program notes the need to retire and replace several police vehicles (Resolution No. 2013-127).

The Marina Police Department Operations Division relies on its patrol vehicles to assist officers in providing quality services to the residents of the City of Marina. Three of these vehicles were recently brought to the City mechanic for repairs and it was deemed that the cost of the repairs far outweighed the value of the vehicles.

The Los Angeles Sheriff Office and the Michigan State Police conducted a comprehensive police vehicles evaluation which included the Chevrolet Caprice, the Chevrolet Tahoe, the Ford Interceptor, the Dodge Charger, and several other police vehicles. On several tests which focused on safety (braking, acceleration, maneuverability, fuel consumption, etc.) the Chevrolet Caprice surpassed its competitors.

The Chevrolet Caprice Police Vehicle was chosen over the Ford Interceptor and SUV PPV's by the Marina Police Department Fleet Committee after extensive testing which included safety, reliability, fuel consumption, acceleration, braking, and vehicle stability. This vehicle received a score of 8.8 (maximum of 10) from a survey conducted among Marina Police Officers.

Of note, the Ford Motor Company which makes the Crown Victoria model – our current patrol vehicles – has discontinued manufacturing this vehicle.

ANALYSIS:

On July 18, 2017 City Council passed Resolution **2017-63** approving the 2017-18 budget and appropriated funding to purchase two (2) fully equipped patrol vehicles.

Court decisions and Marina Municipal Code Chapter 3.16, Section 3.16.040, Bidding Required – Exceptions, provides that bidding procedures shall be dispensed with when the City Council finds by resolution that competitive bidding would be unavailing, would not produce an advantage and would not be in the public interest.

Pursuant to City of Marina Resolution No. 95-75, the City of Marina is authorized to use the State of California Cooperative Purchasing System to obtain equipment from the State of California Department of General Services (DGS). However, the Chevrolet Caprice Police Vehicle is not currently listed on State of California, Department of General Services (DGS) vehicles list even though it is a police vehicle package.

The Police Department solicited bids from four dealerships. Of the four dealerships solicited, only two provided offers. Peninsula Chevrolet Cadillac of Seaside, California quoted the vehicles at \$ 27,025 per vehicle plus taxes and documentation fees. My Chevrolet of Salinas, California quoted the vehicles at \$ 27,405 per vehicle plus taxes and documentation fees.

During the request for bids, the Marina Police Department learned that the County of Santa Clara completed a formal RFP for five (5) Chevrolet Caprice Police Package. Three dealers requested the RFP, and only two dealerships submitted bids. The contract was awarded to Folsom Chevrolet as it was the lowest bidder. Folsom Chevrolet submitted a bid charging \$29,975 per vehicle plus taxes and documentation fees. The table below shows that the pricing offered by Peninsula Chevrolet Cadillac of Seaside is lower than the lowest bid received by the County of Santa Clara for the purchase of five (5) vehicles.

Peninsula Chevrolet	My Chevrolet	Gilroy Chevrolet	Folsom Chevrolet
\$ 29,378	Declined to offer	Declined to offer	\$ 29,975

Based on the aforementioned facts, and information on the results of the bidding process that the County of Santa Clara just concluded, for the City to initiate a competitive bidding process for purchase of the requested vehicles, it is unlikely that significantly lower prices would be realized, and it would result in a delay of two to three months from City Council approval to call for bids, individual item bid document specification preparation, bid advertising and opening, and City Council awarding of bids, et cetera.

A fully equipped police patrol vehicle includes the purchase and installation of all emergency, safety, communications and video equipment necessary. It includes a data radio, light bar, communications radio, mobile digital computer, digital video system, and all accessories necessary to install the mentioned equipment; These are only available from a single source as they are standardized to Marina Police Department's vehicles, and have been previously approved for purchase as sole source from Whelen L.E.D. (Resolution 2007-75), Data 911 MS Mobile Data (Resolution 2007-104), and L3 Communications Mobile Vision Inc. (Resolution 2007-150). The total cost of the safety equipment, per vehicle, is approximately \$37,975.

FISCAL IMPACT:

Should the City Council approve this request, funding needs to be appropriated for:

Two (2) not yet fully equipped 2017 Chevrolet Caprice Police Package at a total cost of approximately \$65,100, and safety equipment totaling approximately \$82,000. Funding is available within the FY 2017-18 budget General Fund, Police Department Budget, Capital Outlays-Vehicles Account No. 100.210.211.6700.130

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Roberto Filice
Police Commander
City of Marina

REVIEWED/CONCUR:

Brian McMinn
Public Works Director
City of Marina

Tina Nieto
Chief of Police
City of Marina

Layne Long
City Manager
City of Marina