

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AUTHORIZING THE EXECUTION OF A CONTRACT WITH CITY WIDE CART SERVICE, INC.

WHEREAS, Section I-2-3.06 of the Milpitas Municipal Code authorizes the City’s Purchasing Agent to use the request for sealed proposal (“RFP”) to purchase supplies or services in cases where the Purchasing Agent determines that competitive bidding is not practical or advantageous to the City; and

WHEREAS, the Purchasing Agent determined that the use of a formal competitive bid process for shopping cart retrieval services would be impractical and unavailing and not in the best interests of the City because such services required consideration, evaluation, and discussion of a range of proposals before entering the contract, including various pricing options based on alternative services; and

WHEREAS, the Purchasing Agent and the Neighborhood Services Department jointly developed the specification for a Request for Proposal (RFP) and evaluation criteria for abandoned shopping cart retrieval services; and

WHEREAS, the proposals for abandoned shopping cart retrieval services were evaluated by a City team consisting of the Purchasing Agent, the Senior Housing and Neighborhood Preservation Specialist, a Land Development Associate Civil Engineer, a Utility Associate Engineer and the Assistant City Attorney; and

WHEREAS, after consideration of all the criteria, the team determined that City Wide Cart Service, Inc. presented the most advantageous proposal; and

WHEREAS, the contract with City Wide Cart Services, Inc. is for a one year term with two additional one year options based on performance and incremental pricing at the City’s discretion.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The recitals set forth above are true and correct and incorporated by reference.
2. Authorize the City Manager to execute a contract for shopping cart retrieval services with City Wide Cart Services, Inc., for the annual not-to-exceed amount of \$17,700.00 and subject to approval as to form by the City Attorney.

PASSED AND ADOPTED this ____ day of _____, 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Robert Livengood, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney