

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING PURCHASE OF A 2009 PIERCE ARROW XT ALL-WHEEL STEER FIRE PUMPER FROM GOLDEN STATE FIRE APPARATUS, INC.

WHEREAS, Section I-2-3.09 of the Milpitas Municipal Code authorizes the City Council to award contracts without competition when the Purchasing Agent determines that there is only one source for the required supply or service; and

WHEREAS, the City of Milpitas has adopted the Midtown Specific Plan, which calls for higher density housing with narrower streets and tighter turning dimensions; and

WHEREAS, the Fire Department has been replacing old equipment as needed with apparatus designed to operate in higher density areas with shorter wheelbases and tighter turning radii in order to respond to calls from the new higher density developments citywide; and

WHEREAS, the Fire Department currently operates five Pierce fire engines in the fleet, which offer the benefit of standardization for the engineers and maintenance staff and provide economy of scale for parts and service costs; and

WHEREAS, the Fire Department conducted a twelve (12) month investigation, reviewing the top ten major fire engine manufacturers; and

WHEREAS, Pierce Manufacturing, Inc. is the only manufacturer that provides the Oshkosh All-Wheel Steering System; and

WHEREAS, the Oshkosh All Wheel Steering System uses a digital wheel encoder to provide a coordinated steer effort between the front and rear axle, which offers more steering at low speeds. The patented system provides a thirty-three percent (33%) increase in steering performance in the all steer coordinated mode over the conventional front steer mode; and

WHEREAS, after conducting a good faith review of the Fire Department’s testing, available sources and pursuant to Milpitas Municipal Code Section I-2-3.09, the City’s Purchasing Agent has determined that Golden State Fire Apparatus, Inc. is the only source for fire engines from Pierce Manufacturing that include the Oshkosh All Wheel Steering System and that a contract of purchase may be awarded without competition under the provisions of that Section.

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

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Manager is authorized to execute a contract as a sole source for the procurement of a 2009 Pierce Arrow XT All-Wheel Steer Fire Pumper from Golden State Fire Apparatus, Inc. for the not-to-exceed amount of \$556,545.00.

PASSED AND ADOPTED this _____ day of _____, 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