

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING PURCHASE OF THREE TRAFFIC SIGNAL CABINETS FROM BRG SUPPLY

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, BRG Supply is the only provider of electrical cabinets that are specifically designed to meet the City’s specifications to interact with the old and new cabinets; and

WHEREAS, BRG Supply has supplied electrical cabinets for the past ten (10) years to the City and the cabinet components are interchangeable in order to be used for emergency repairs; and

WHEREAS, after conducting a good faith review of the available sources and pursuant to Milpitas Municipal Code Section I-2-3.09, the City’s Purchasing Agent has determined that BRG Supply is the only source for electrical cabinets that meet the City requirements in Santa Clara County.

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 with BRG Supply, as a sole source, for three electrical cabinets, not-to-exceed \$35,065.97.

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