

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AUTHORIZING THE PURCHASE AND INSTALLATION OF ONE REPLACEMENT BACK-UP GENERATOR FOR FIRE STATION NO. 4 FROM PETERSON POWER SYSTEMS, INC. THROUGH A COOPERATIVE PROCUREMENT CONTRACT

WHEREAS, Section I-2-3.08 of the Milpitas Municipal Code authorizes the City of Milpitas to award contracts without competition when the purchase is pursuant to a cooperative agreement by another public agency in California that used competitive negotiation or bidding procedures at least as restrictive as the City of Milpitas; and

WHEREAS, Municipal Code Section I-2-3.08 “Cooperative Procurement” specifically authorizes the Purchasing Agent to make cooperative purchases from the National Joint Powers Alliance; and

WHEREAS, the Purchasing Agent, having reviewed all of the documentation from the National Joint Powers Alliance Request for Proposal (RFP) #080613 entitled “Electrical Energy Generation Equipment with Related Accessories, Services, and Supplies” has determined that the underlying purchase was made using competitive bidding procedures at least as restrictive as those of the City of Milpitas, the price for a D25-8S Caterpillar 25kw Genset Diesel Generator offered to the City of Milpitas is the same as that offered in the original cooperative agreement, and the proposed purchase is in compliance with Section I-2-3.08 of the Milpitas Municipal Code.

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

1. The City Council has duly considered the full record before it, which may include but is not limited to such things as the City 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 Purchasing Agent is authorized to purchase a replacement back-up generator for Fire Station No. 4 from National Auto Fleet Group for the not-to-exceed amount of \$42,891.36 through the National Joint Powers Alliance.

PASSED AND ADOPTED this _____ day of _____, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney