

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AUTHORIZING THE PURCHASE OF A DELL-APPASSURE DL-4000 BACKUP AND RECOVERY APPLIANCE IN THE AMOUNT OF \$24,873.42 FROM DELL FINANCIAL SERVICES, LLC, THROUGH A COOPERATIVE AGREEMENT FROM THE WESTERN STATES CONTRACTING ALLIANCE

WHEREAS, Section I-2-3.08 of the Milpitas Municipal Code authorizes the Purchasing Agent and/or City Council to make purchases for supplies and services without participating in the competitive bidding process 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 those of the City of Milpitas; and

WHEREAS, Milpitas Municipal Code Section I-2-3.08 “Cooperative Procurement” specifically authorizes the Purchasing Agent to make purchases of supplies and general services from the Western States Contracting Alliance (WSCA) agreements; and

WHEREAS, the Purchasing Agent, having reviewed all of the documentation from the WSCA Request for Proposal entitled “Computer Equipment, Software, Peripherals and Related Services”, and has determined that the underlying purchase was made using competitive bidding procedures at least as restrictive as those of the City of Milpitas and that the price is the same as that offered in the original agreement, all in accordance with Milpitas Municipal Code Section I-2-3.08; and

WHEREAS, the Purchasing Agent also solicited Request for Quotation from all 11 Authorized Resellers on the WSCA Dell contract and determined that the Dell direct pricing was superior and represents a savings of \$9,638.18 less than the retail price; and

WHEREAS, Dell has extend to the City of Milpitas the opportunity to purchase the equipment over time through a five-year zero-percent interest lease-to-own agreement.

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 Council hereby authorizes the purchase of a Dell DL4000, with AppAssure, Backup and Recovery Appliance form Dell Financial Services, LLC, via a five-year zero-percent interest lease-to-own agreement through the Western States Contracting Alliance Cooperative Agreement for “Computer Equipment, Software, Peripherals and Related Services” in the amount not-to-exceed Twenty-Four Thousand Eight Hundred Seventy-Three Dollars and Forty-Two Cents (\$24,873.42).

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