

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS MAKING SOLE SOURCE FINDINGS AND AUTHORIZING THE PURCHASE OF POLICE AMMUNITION FROM SAN DIEGO POLICE EQUIPMENT COMPANY, INC., ADAMSON POLICE PRODUCTS, INC., AND MIWALL CORPORATION FOR A COMBINED ANNUAL TOTAL NOT-TO-EXCEED \$57,000

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

WHEREAS, after testing the market through competitive bid and conducting a good faith review of the available sources that can deliver ammunition in California, the Purchasing Agent has determined that San Diego Police Equipment Company, Inc. is the authorized sole source distributor for Federal brand ammunition in California, Adamson Police Products, Inc. is the authorized sole source distributor for Winchester brand ammunition in Northern California, and Miwall Corporation is the authorized sole source distributor for Hornaday brand ammunition in California; and

WHEREAS, the City’s Purchasing Agent recommends the City Council approve these sole source procurements with San Diego Police Equipment Company, Inc., Adamson Police Products, Inc., and Miwall Corporation for the combined not-to-exceed annual total of Fifty Seven Thousand dollars (\$57,000.00).

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 sole source designation of San Diego Police Equipment Company, Inc., Adamson Police Products, Inc., and Miwall Corporation as sole source ammunition suppliers for the City is necessary due to the sole source nature of the vendors.
3. Putting the purchase of Police ammunition out to formal bid would not produce any advantage to the public, since the winning bids would be limited to these same, authorized sole source suppliers already identified through formal and informal solicitations.
4. City staff sought informal quotes from multiple suppliers, thereby securing market pricing information and sparking market competition to the extent possible. Thus, the authorization to execute purchases with the only available suppliers would not constitute any sign of favoritism, improvidence, extravagance, fraud or corruption.
5. City staff is therefore authorized to negotiate and execute three separate ammunition purchases, each for up to five years per the Sole Source designation, with San Diego Police Equipment Company, Inc., Adamson Police Products, Inc., and Miwall Corporation, for a combined annual total not-to-exceed \$57,000.

PASSED AND ADOPTED this ____ day of _____, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose Esteves, Mayor

APPROVED AS TO FORM:

Chris Diaz, City Attorney