

RESOLUTION NO. 2024 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, 1) WAIVING THE FORMAL BID PROCESS PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 2.60.110(B) REGARDING EXCEPTIONS TO FORMAL COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF A 2025 FREIGHTLINER FORESTRY AERIAL BOOM TRUCK FROM COMMERCE TRUCK EQUIPMENT SALES LLC IN A NOT-TO-EXCEED AMOUNT OF \$254,795.06 FOR THE PUBLIC WORKS PARKS DIVISION; 2) AUTHORIZING THE ESTABLISHMENT OF AN APPROPRIATION OF \$254,796 IN THE VEHICLE ACQUISITION FUND; AND 3) AUTHORIZING THE CITY MANAGER TO APPROVE ADJUSTMENTS OF UP TO \$25,479 TO THE NOT-TO-EXCEED AMOUNT FOR THE PURCHASE AS A 10% CONTINGENCY FOR UNFORSEEN FLUCTUATIONS IN PRICING.

WHEREAS, the Public Works Parks Division utilizes an aerial boom truck to provide tree trimming services for the community, which has exceeded its useful life and has required significant maintenance, resulting in extended periods of inoperability and delays to service; and

WHEREAS, on February 21, 2023, the City Council approved Resolution 2023-15 authorizing budget appropriations for the purchase of an aerial boom truck from PB Loader in a not-to-exceed amount of \$382,000 for the Public Works Parks Division but, due to unforeseen issues with the ordering and acquisition process, the boom truck order was never fulfilled; and

WHEREAS, in the interim, staff has contacted additional vendors for quotes and availability, but has faced significant challenges with long lead times; and

WHEREAS, staff was recently able to locate a viable vendor for the aerial boom truck, a 2025 Freightliner Forestry Truck, from Commerce Truck Equipment Sales LLC for \$254,795.06, which would provide an estimated savings of approximately \$127,000 from the previously-approved purchase; and

WHEREAS, Section 2.60.110(B) of the National City Municipal Code provides that the City Council may waive formal competitive bidding requirements when, among other reasons, competitive bidding is or would be impractical or impossible or the circumstances are such that no obvious, ascertainable advantage to the City could result, and such a determination has been made in this case, therefore, it is recommended that the purchase be made without complying with the competitive bidding procedure set forth in the Municipal Code; and

WHEREAS, National City's Purchasing staff has confirmed that, due to challenges with availability and long lead times, coupled with the immediate need to acquire a new aerial boom truck to perform tree trimming services, competitive bidding would be impractical or impossible and there is no obvious, ascertainable advantage from such bidding given that, since the onset of the pandemic in 2020, vehicle acquisitions have become challenging, with examples including placing vehicle and equipment orders in advance through unpredictable and unreliable manufacturer order processes, price changes passed on to the consumer due to increasing costs and availability issues, and fluctuating ordered vehicle delivery dates; and

WHEREAS, City staff recommends adoption of the resolution as stated.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: That the City Council hereby authorizes waiving the formal bid process pursuant to National City Municipal Code Section 2.60.110(B) regarding exceptions to formal competitive bidding and authorizing the purchase of a 2025 Freightliner Forestry aerial boom truck from Commerce Truck Equipment Sales LLC in a not-to-exceed amount of \$254,795.06 for the Public Works Parks Division.

Section 2: That the City Council hereby authorizes the establishment of an appropriation in the amount of \$254,796 in the Vehicle Acquisition Fund for the purchase.

Section 3: That the City Council hereby authorizes the City Manager to approve adjustments of up to \$25,479 to the not-to-exceed amount for the purchase as a 10% contingency for unforeseen fluctuations in pricing.

Section 4: That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 19th day of November, 2024.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney