RESOLUTION NO. 2014-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AUTHORIZING PURCHASE OF A STREET SWEEPER

WHEREAS, the City has an immediate need for a street sweeper; and

WHEREAS, Section 2-8-060 of the Municipal Code provides for open market procedures for purchase of equipment where the estimated value (excluding sales tax) exceeds $5,000.00; and

WHEREAS, Graydon v. Pasadena Redevelopment Agency (1980) 104 Cal.App.3d 161, provides that a competitive procurement process is not required when it would not be in the public interest such that no competitive advantage can be gained by soliciting bids; and

WHEREAS, the City Council has received information and verbal testimony this date that the used street sweeper which the City has been renting, and which has proven to be satisfactory to the City's specifications and needs, may be purchased at a lesser price than on the open market by entering into a contract with Earthquake Sales LLC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Juan Bautista, as follows:

1. That because a used street sweeper meeting the City's specifications is immediately available at a considerable cost savings, procurement of said street sweeper through a competitive procurement process would be unavailing, would not produce an advantage and would, therefore, not be in the public interest.
2. That the City Manager is authorized and directed to purchase the above-described street sweeper at a price not to exceed $6,987.50, without first engaging in competitive procurement and free of the provisions of Section 2-8-060 of the Municipal Code.

PASSED AND ADOPTED at a regular meeting of the San Juan Bautista City Council duly held on September 16, 2014, by the following vote:

AYES: Moore, Boch, Cosio, Edge, Lund

NOES: None

ABSENT: None

ABSTAIN: None

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Andy Moore, Mayor

ATTEST:

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Linda G. McIntyre, City Clerk