

RESOLUTION NO. 4229

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
AUTHORIZING THE PURCHASE OF ONE HYBRID BUS FROM SUPREME
CORPORATION IN AN AMOUNT NOT TO EXCEED \$199,356.30 PURSUANT TO
SOLEDAD MUNICIPAL CODE SECTION 3.24.040**

WHEREAS, the City solicited bids for a hybrid bus in the Salinas Californian on November 15 and 21, 2007; and

WHEREAS, the City received two bids for the hybrid bus and on February 6, 2008, subsequently purchased a bus from the lowest responsible bidder, Supreme Corporation, in the amount of \$199,356.30; and

WHEREAS, the City is still in need of an additional bus; and

WHEREAS, Supreme Corporation has indicated it is willing to honor its bid from the February 2008 purchase transaction with the City, and will sell the City a second hybrid bus for the same price of the first bus, \$199,356.30; and

WHEREAS, pursuant to Soledad Municipal Code Section 3.24.040, the City may dispense with its usual bidding and purchase procedures in instances in which it can rely on a recent bid for similar or identical equipment made by a municipal entity; and

WHEREAS, the City submitted a State Transit Account (STA) application to the Transportation Agency of Monterey County (TAMC) in the amount of \$240,000 for the purchase of the new taxi bus and it is anticipated that TAMC will approve the City application at the June meeting.

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Soledad as follows:

1. Pursuant to Soledad Municipal Code Section 3.24.040, the Council finds that it can rely on a bid for a hybrid bus made by the Supreme Corporation and used by the City of Soledad in February of 2008 in-lieu of going through the bidding process, based on the following findings: 1) The Interim City Manager has approved the use of the "in-lieu" exception found in Section 3.24.040 for this transaction; 2) the bid to be relied upon was made within the preceding 12 months; 3) there has been no significant change in the price of the item to be purchased since the bid was made (in fact, the only change in price is that the hybrid bus has become more expensive since the original bid due to labor and materials costs, thus making the purchase more desirable); 4) there is no reason to believe that the price of the involved item is subject to any significant variation due to the location of vendors; and 5) Supreme Corporation was the low bidder in a competitive bidding process that culminated in a sale to the City of Soledad in February of 2008.

2. Based on the findings set forth above, the Council hereby authorizes the Interim City Manager to purchase a new hybrid bus from Supreme Corporation in an amount not to exceed \$199,356.30. However, said authorization is conditioned on City's receipt of a \$240,000 STA grant.

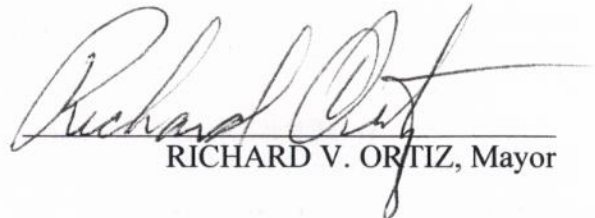
PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 18th day of June 2008, by the following vote:

AYES, and in favor thereof, Councilmembers: Martha Camacho, Juan Saavedra, Patricia Stephens, Mayor Richard Ortiz

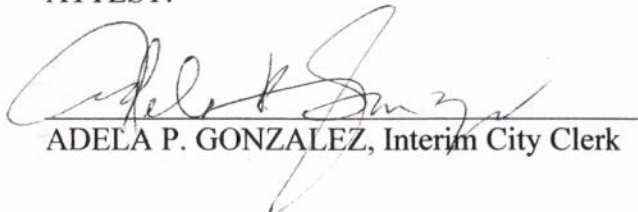
NOES, Councilmembers: None

ABSENT, Councilmembers: Mayor Pro Tem Christopher Bourke

ABSTAIN, Councilmembers: None


RICHARD V. ORTIZ, Mayor

ATTEST:


ADELA P. GONZALEZ, Interim City Clerk