

RESOLUTION NO. 5070

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
APPROVING THE PURCHASE OF ONE 2015 FORD POLICE INTERCEPTOR
UTILITY VEHICLE AND ONE 2015 FORD POLICE INTERCEPTOR SEDAN IN AN
AMOUNT NOT TO EXCEED \$79,123.60, AUTHORIZING THE USE OF THE CITY'S
IN-LIEU PURCHASE EXCEPTION, AND AUTHORIZING THE CITY MANAGER TO
EXECUTE A PURCHASE AGREEMENT WITH THE FORD MOTOR CREDIT
COMPANY**

WHEREAS, three of the Police Department's unmarked patrol units have in excess of 120,000 miles and the majority of the remaining seven marked vehicles have either exceeded or are rapidly approaching the 100,000 mile mark and are operating beyond the manufacturer's warranty period; and

WHEREAS, there is an immediate need to begin the replacement of the inefficient and obsolete patrol fleet with more safe and fuel efficient marked and unmarked patrol vehicles; and

WHEREAS, Staff has learned that the State of California Department of General Services ("DGS") Contract 1-12-23-14, which pertains in part to the purchase of Ford Interceptor vehicles for police use from Folsom Lake Ford in Folsom, California, represents the lowest responsive bid in a competitive bid process sponsored by the State of California valid from May 25, 2014 through May 24, 2015; and

WHEREAS, pursuant to DGS Contract 1-12-23-14, the City can obtain one new, fully equipped Ford Police Interceptor Utility vehicle and one Ford Police Interceptor Sedan from Folsom Lake Ford pursuant to a financed Purchase Agreement for a not-to-exceed amount of \$79,123.60; and

WHEREAS, the purchase of these two vehicles will be financed over a four year period, with a total of 16 quarterly payments in the amount of \$5,462.85; and

WHEREAS, the total cost of the purchase and finance of the three Ford Interceptor Utility Vehicles over a four year period will be paid out of the Measure Y Fund; and

WHEREAS, at the completion of the finance agreement, title and ownership of the two vehicles will be transferred to the City of Soledad after making the residual payment of one dollar per vehicle; and

WHEREAS, Staff has confirmed that the Ford Interceptor Utility vehicle and Ford Interceptor Sedan have a verified history of customer satisfaction and public safety service use, relevant to City needs, in the State of California; and

WHEREAS, pursuant to Section 3.24.040 of Chapter 3.24 of the Soledad Municipal Code, the City may dispense with formal bidding procedures and rely on the bid of

another public entity to save both time and money under the circumstances described in said section; and

WHEREAS, the City Manager and/or Staff have determined that 1) the bid for the purchase of the Ford Interceptor Utility vehicle and the Ford Interceptor Sedan, in this case in the form of a DGS Contract, is and remains valid through May 24th of 2015, 2) that there has been no significant change in the price of the requested vehicles since the time the DGS contract was awarded, 3) there is no reason to believe that there would be a significant difference in the price of the vehicles to be purchased based on region, and, 4) the DGS contract upon which the City desires to rely was based on the lowest responsible bid or equivalent thereto for the purchase of the desired vehicles in a competitive bidding process conducted by the State.

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

1. All of the recitals set forth above are true and correct to the best of its knowledge, and by this reference are incorporated herein.
2. The Council determines by at least a four-fifths vote that one Ford Police Interceptor Utility vehicle and one Ford Police Interceptor Sedan, modified for public safety use, can be purchased more economically and on an expedited basis through reliance on a public bidding process utilized by the California Department of General Services, embodied in DGS Contract 1-12-23-14, awarded to Folsom Lake Ford, the lowest responsive bidder in a competitive bid process sponsored by the State of California and valid from May 25, 2014 through May 24, 2015, and as such, pursuant to the authority provided by Soledad Municipal Code Section 3.24.040 and in compliance with the provisions thereof, the Council desires to purchase the involved vehicles through use of the City's "In-Lieu Purchase Exception."
3. The City Manager is hereby authorized to execute a Purchase Agreement, based on the financing terms set forth in Exhibit "A," the Ford Credit Municipal Finance Program Quotation, pursuant to DGS Contract 1-12-23-14, for a total cost not to exceed \$79,123.60. Funding for said purchase shall come from the City's Measure Y Fund.

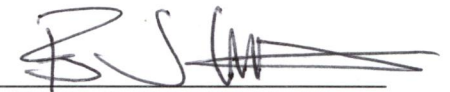
PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 4th day of March, 2015, by the following vote:

AYES, and in favor thereof, Councilmembers: Christopher K. Bourke, Richard J. Perez, Patricia D. Stephens, Mayor Pro Tem Alejandro Chavez and Mayor Fred J. Ledesma

NOES, Councilmembers: None

ABSTAIN, Councilmembers: None

ABSENT, Councilmembers: None



FRED J. LEDESMA, Mayor

ATTEST:



ADELA P. GONZALEZ, City Clerk

1950





FORD CREDIT

Exhibit A

Lease/Purchase Financing Proposal
City of Soledad, Schedule: 8607901

March 05, 2015

Quantity	Description	Price
1	2015 Ford Police Interceptor Sedan w/ Upfitting	\$31,644.73
1	2015 Ford Police Interceptor Utility w/ Upfitting	\$47,053.87

Total Amount Financed	Number of Payments	Payment Timing	APR	Payment Factor	Payment Amount
\$79,123.60	16	Quarterly In Advance	5.45%	0.069042	\$5,462.85

*\$425.00 underwriting fee included

EXPIRATION DATE: 05/31/2015

This proposal, until credit approved, is not a commitment by Ford Credit Municipal Finance. It has been prepared assuming that the lease qualifies for Federal Income Tax Exempt Status for Ford Credit Company LLC under Section 103 of the IRS Code. Financing is subject to credit review and approval of acceptable documentation by Ford Credit Municipal Finance.

MUNICIPALITY REQUIREMENTS

In order for us to proceed with the approval process, please fax to (313) 390-3783 or email epleasan@ford.com the following items:

- Most recent audited financial statements.
- Copy of Board Resolution or Meeting Minutes showing proof of appropriation.
- Completed Municipal Finance Application (attached).
Note: Please forward the signed original Municipal Finance Application by mail to Ford Credit Municipal Finance, 1 American Road-MD 7500, Dearborn, MI 48126.

DEALERSHIP REQUIREMENTS

In order for Ford Credit Municipal Finance to prepare the Lease/Purchase Financing documentation for the municipality, the following items are required from Winner Ford:

- Vehicle vin number(s) and/or equipment serial number(s).
- Itemized list of equipment, if applicable.
- On dealership letterhead, provide the following wire instructions, if not already on file in the following format:
 - o dealership's bank name,
 - o dealership's bank 9-digit ABA routing number,
 - o dealership's bank account number,
 - o signature and title of person providing the information.

Note: You should not deliver any of the vehicle(s) and/or equipment to the municipality until credit has been approved and we receive our fully executed contract and first payment, if applicable.

Ford Motor Credit Company
Municipal Finance Application Schedule #8607901
March 05, 2015

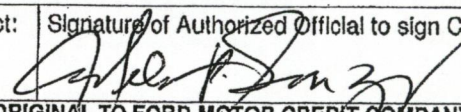
1. Complete Legal Name of Municipality ("Lessee") City of Soledad
2. 9 Digit Federal ID Number 94-6000432
3. Department Using Vehicle/Equipment Police
4. County Monterey
5. Street Address, City, State & Zip 248 Main Street, Soledad, CA 93960
6. Billing Address (if different from above) PO Box 156, Soledad CA 93960
7. Accounts Payable Contact Person Eric Sills
Accounts Payable Phone Number (831) 223-5131
8. How will Vehicle/Equipment be used Police Department Patrol
9. How many units currently perform this function 13
10. Does this equipment replace previous equipment Yes, previous equipment purchased in 2010 SEDAN / 2007 SEDAN
 No, reason for new equipment _____
11. Self Insured: No Yes
General Liability Coverage Limits: \$ 1,000,000
General liability coverage limit in the amount of \$1,000,000 is required or the State max, if lower.
Name & Phone # of Insurance Provider Monterey Bay Area Self Ins. No. (415) 874-4811
12. Will the proposed payments come from the General Fund Yes
 No, please list fund _____
What is the Fund Balance \$ 370,000 as of 6/30/13
13. What is your Fiscal Year-End 6-30-2015
PLEASE SEND A COPY OF YOUR MOST RECENT AUDITED FINANCIAL STATEMENTS
14. Have the funds been appropriated for the current year Yes No
PLEASE ATTACH A COPY OF THE BOARD RESOLUTION OR MEETING MINUTES
15. Do you plan on issuing more than \$10 million in tax exempt debt during the current fiscal year Yes No
16. Attorney's Name Michael Rodriguez Attorney's Telephone No. (510) 238-1400

CERTIFICATION

I, the undersigned, certify that:

1. Lessee has followed all required purchasing procedures regarding the award of the proposed contract.
2. Lessee has the requisite authority to execute, deliver and perform its obligations under the proposed contract.
3. The execution, delivery and performance by Lessee of the proposed contract have been duly authorized by all necessary actions on its behalf.

THE SIGNATURE LINE BELOW IS TO BE SIGNED BY A PERSON AUTHORIZED BY THE GOVERNING BODY TO EXECUTE THE PROPOSED CONTRACT ON BEHALF OF THE LESSEE:

Print Name AND Title of Authorized Official to sign Contract: <u>Adela P. Gonzalez, City Mgr.</u>	Signature of Authorized Official to sign Contract: 
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PLEASE FAX TO 313-350-3783 AND MAIL ORIGINAL TO FORD MOTOR CREDIT COMPANY
1 AMERICAN ROAD-MD7500
DEARBORN, MI 48126