

# City of Las Cruces<sup>®</sup>

PEOPLE HELPING PEOPLE



## Council Action and Executive Summary

Item # 4 Ordinance/Resolution# 10-11-546

For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)

For Meeting of May 2, 2011  
(Adoption Date)

**TITLE:** A RESOLUTION TO AUTHORIZE THE SOLE-SOURCE PURCHASE OF ONE (1) MOBILE CONCEPTS BY SCOTTY, SCOTTY COMMAND 36-FW3WS TRAILER FOR THE LAS CRUCES POLICE DEPARTMENT FOR A TOTAL PURCHASE PRICE OF \$170,024.76.

**PURPOSE(S) OF ACTION:**

To authorize the purchase of equipment for a cost in excess of \$50,000.

<b>COUNCIL DISTRICT: ALL</b>		
<b><u>Drafter/Staff Contact:</u></b> S. Nicole Williams	<b><u>Department/Section:</u></b> Finance/Grants	<b><u>Phone:</u></b> 575-541-2716
<b><u>City Manager Signature:</u></b>		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

On July 6, 2009, City Council accepted grant funds on behalf of the Las Cruces Police Department (LCPD) and the Doña Ana County Sheriff's Office (DASO) in the amount of \$447,870 from the FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program offered through the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. The LCPD's portion of the grant funds amounted to \$281,558; to be used for the purchase of a Mobile Operations Center and other related items.

The Mobile Operations Center will provide an operational command and communications center and/or crime scene support hub for any type of police event. The unit may serve as a mobile command post for on-scene coordination that may last for extended periods of time; provide a secure area to conduct investigation and crisis response; be utilized to support the Mesilla Valley Regional Dispatch Authority a temporary dispatch center during an emergency; used to support SWAT/CBRNE/WMD emergency events; public safety community events; used in high-crime areas to coordinate operations; and/or may be used as a mobile substation.

The Mobile Operations Center is a self-contained 36' Fiberglass Trailer, with 7 workstations, containing a dish satellite system and receiver; slide out communications center; slide out conference center; telescopic mobile scene lighting, 355° night vision remote controlled color camera tower, and a generator for full mobile capacity. The trailer may be pulled with any number of vehicles already assigned to the police department.

(Continue on additional sheets as required)

The City's Purchasing Department (Purchasing) has reviewed and approved the sole-source requisition request by the LCPD for the purchase of one (1) Scotty Command 36-FW3WS Trailer, which is manufactured solely by Mobile Concepts by Scotty and is distributed solely by the same.

Purchasing negotiated costs and terms with the manufacturer to arrive at the best possible price of \$170,024.76, which includes shipping fees and training upon delivery.

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A", Purchasing Manager's Request to Contract (PMRC).
3. Exhibit "B", Sole Source Purchase Authorization Memo with support documents.

**SOURCE OF FUNDING:**

<b>Is this action already budgeted?</b>	Yes	<input checked="" type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from: _____
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.
<b>Does this action create any revenue?</b>	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$ _____ for FY _____.
	No	<input checked="" type="checkbox"/>	There is no new revenue generated by this action.

**BUDGET NARRATIVE**

Per Resolution 10-006 dated July 6, 2009; aforementioned grant funds were accepted and deposited into Fund 2900-FD STIM OP, Project Number 13221. FY11 Budgeted funds for this account/project number were \$229,144. Encumbered funds to date: PO 11202794 for \$29,780.

**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
FED STIM OP	29147010-852100-13221	\$170,024.76	\$229,144	\$29,339.24	Additional items to meet grant award.

(Continue on additional sheets as required)

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will authorize the purchase of the Police Department Mobile Operations Center equipment and satisfy a portion of the grant award.
2. Vote "No"; this will prevent the purchase of the equipment and may violate the terms of the grant.
3. Vote to "Amend"; this could delay the expenditure of the grant funds and could affect the LCPD from receiving future JAG funding.
4. Vote to "Table"; this option is not available, as grant funds have been accepted.

**REFERENCE INFORMATION:**

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

1. Resolution No. 10-006.

(Continue on additional sheets as required)

**RESOLUTION NO. 10-11-546**

**A RESOLUTION TO AUTHORIZE THE SOLE-SOURCE PURCHASE OF ONE (1) MOBILE CONCEPTS BY SCOTTY, SCOTTY COMMAND 36-FW3WS TRAILER FOR THE LAS CRUCES POLICE DEPARTMENT FOR A TOTAL PURCHASE PRICE OF \$170,024.76.**

The City Council is informed that:

**WHEREAS**, July 6, 2009, Council approved Resolution 10-006 to accept grant funds on behalf of the Las Cruces Police Department (LCPD) and the Doña Ana County Sheriff's Office (DASO) in the amount of \$447,870 from the FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program offered through the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; and

**WHEREAS**, the LCPD's portion of the grant funds amounted to \$281,558; and

**WHEREAS**, received grant funds were deposited into Fund 2900-FD STIM OP for the purchase of a Mobile Operations Center and other related items; and

**WHEREAS**, the LCPD submitted a sole-source requisition request for the procurement of a Mobile Concepts by Scotty, Scotty Command 36-FW3WS Trailer; and

**WHEREAS**, Purchasing negotiated costs and terms with the certified sole-source manufacturer to arrive at the best possible price of \$170,024.76; which includes shipping fees and training upon delivery.

**NOW, THEREFORE**, Be it resolved by the governing body of the City of Las Cruces:

**(I)**

**THAT** Purchasing has reviewed LCPD's sole-source requisition request for the purchase of the Mobile Concepts by Scotty, Scotty Command 36-FW3WS Trailer.

(II)

THAT Purchasing received sole-source justification from LCPD and negotiated with the manufacturer for the best possible total purchase price of \$170,024.76.

(III)

THAT City Council authorizes the purchase of the Mobile Concepts by Scotty, Scotty Command 36-FW3W3 Trailer for the amount of \$170,024.76.

(IV)

THAT City staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

DONE AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

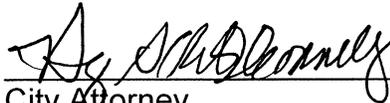
\_\_\_\_\_  
City Clerk

(SEAL)

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

VOTE:

Mayor Miyagishima: \_\_\_\_\_  
Councillor Silva: \_\_\_\_\_  
Councillor Connor: \_\_\_\_\_  
Councillor Pedroza: \_\_\_\_\_  
Councillor Small: \_\_\_\_\_  
Councillor Sorg: \_\_\_\_\_  
Councillor Thomas: \_\_\_\_\_

# CITY OF LAS CRUCES

## PURCHASING MANAGER'S REQUEST TO CONTRACT

For Meeting of: May 2, 2011

Resolution No.: 10-11-546

### Sole Source Contract Purchase For Scotty Command 36-FW3WS

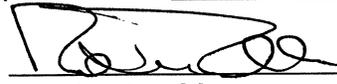
The Las Cruces City Council is provided the following information concerning this request:

#### SOLICITATION INFORMATION:

- 1. Description of Bid: **Scotty Command 36-FW3WS**
- 2. Using Department: **Las Cruces Police Department**
- 3. Current Award Recommendation To: **Mobile Concepts by Scotty  
of Mt Pleasant, PA**
- 4. Total Award Amount: **\$170,024.76**
- 5. Contract Duration: **One time purchase**

#### PROCUREMENT CODE COMPLIANCE:

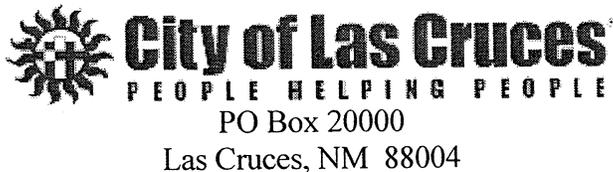
The City of Las Cruces Procurement Code was administered in the conduct of this procurement and approval to purchase is hereby requested pursuant to **Section 24-95.**

  
Purchasing Manager

1 4/7/2011  
Date

#### CONFIRMATION OF FUND ENCUMBRANCE:

REQUISITION OR PURCHASE ORDER NUMBER:	11101924
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# Memo

**To:** File

**From:** Todd Bensley, Buyer

**Date:** 04/05/2011

**Re:** Sole Source, 10-11-546 Scotty Command 36-FW3WS, awarded to Mobile Concepts by Scotty.

## **Per Sec. 24-95. Sole source procurement.**

A contract may be awarded without competition when the purchasing manager determines in writing, after conducting a good-faith review of available sources, that there is only one source for the required supply, service, or construction item; or when it is likely that award to any other source would result in (a) substantial duplication of cost to the city that is not expected to be recovered through competition, or (b) unacceptable delays in fulfilling the city's requirement. The purchasing manager shall conduct negotiations, as appropriate, as to price, delivery, and terms. A record of sole source procurement shall be maintained as a public record and shall list each contractor's name, the amount and type of each contract, a listing of the items procured under each contract, and the identification number of each contract file.

**After review of the requisition 11101924 and justification from the CLC Police Department for 1 each Scotty Command 36-FW3WS Trailer, awarded to Mobile Concepts by Scotty**

**In this case have found that this item is justified as sole-source procurement because;  
The item; Scotty Command Trailer 36FT, Model 36-FW3WS,**

- 1. is manufactured solely by Mobile Concepts by Scotty, and distributed solely by the same.**
- 2. A discount and explanation of pricing was requested from Mr. Chris Simon, VP of Sales, who stated that:**
  - The pricing of \$170,024.76 is the best possible pricing and is equal to GSA pricing, includes shipping fees and training upon delivery.**
  - Navy Blue color is available as requested by CLC Police Dept. at no extra charge.**
  - Shipping terms have been negotiated and changed to FOB Destination, to CLC Police Department, 217 East Picacho Ave., Las Cruces, NM.**
- 3. No additional discounts are available. This is this is the best possible pricing available for this item.**



April 6, 2011

Todd Bensley  
City of Las-Cruces, NM

Dear Mr. Bensley -

As of today's date, Mobile Concepts by Scotty Inc., is the sole designer, manufacturer and distributor of a mobile command center model Command 36-FW3WS which is sold under our GSA contract GS-30F-0012T. We are not aware of any one company that is designing, manufacturing and distributing such a vehicle.

For this reason, Mobile Concepts by Scotty is considered a sole source for the purchase of a mobile command center Command 36-FW3WS.

Mobile Concepts by Scotty has been manufacturing commercial and recreational trailers since 1956 and owns and operates a manufacturing, design and sales facility in Mount Pleasant, Pennsylvania in Westmoreland County.

No subcontractors are employed in the construction and manufacturing of this product. All interior and exterior structural components are manufactured by our team of 35 production team members.

Also, Mobile Concepts by Scotty Inc. builds the vehicle per the National Electric Codes and the Recreational Vehicle Industry Association Codes (ANSI A119.2/NFPA 501C).

The codes of the R.V.I.A. are acted on by the National Fire Protection Association and pertain to the electrical, plumbing, fuel system and fire and life safety provisions of this vehicle.

Our standard trailer is built using an exterior Gel Coat fiberglass which is only available in white. If a color is required, exterior panels would be aluminum which are available in 12 colors.

If you have any questions, please contact me at 1-800-783-0213.

Thank you for this opportunity.

A handwritten signature in cursive script that reads "Chris Simon".

Chris Simon  
VP of Sales

Mobile Concepts by Scotty  
480 Bessemer Road  
Mt Pleasant, PA 15666

1-800-783-0213  
[www.MobileConcepts.com](http://www.MobileConcepts.com)



# Quote

This quote is valid through 7/09

480 Bessemer Road  
 Mt Pleasant, PA 15666  
 1-800-783-0213 or 724-542-7640  
 FAX 724 542-7648

Date: 3/10/09

**QUOTE PREPARED FOR: GSA**  
 Rudy Saenz  
 Las Cruces Police Department  
 PO Box 20000 Las Cruces NM 88004

ITEM	UNIT PRICE	QUANTITY	TOTAL PRICE
2009 SCOTTY Command 36-FW3 WS GSA CONTRACT GS-30-30F-0012T Dimensions: 36'L x 8' W x 11'-10"H	120,985.00	1	120,985.00
Dish Satellite system with two receivers	2,700.00	1	2,700.00
Onan Diesel 7500w Generator in compartment with a 22 gallon fuel tank	9,500.00	1	9,500.00
Deluxe Roll-out Awning (8x24 w/ center rafter)	1,100.00	1	1,100.00
Electric Leveling Jacks w/auxiliary battery	1,745.00	1	1,745.00
Telescopic Scene Lights; four (4) 110-volt, 500-watt lights. A light is installed on all four corners, on a side mount, push up, anodized aluminum telescopic pole, which rotates 360 degrees	3,700.00	1	3,700.00
Exterior Graphics	1,500.00	1	1,500.00
<b>Total Commercial Price</b>			141,230.00
<b>Less 5% GSA discount</b>			-7,061.50
<b>GSA Price</b>			134,168.50
<b>IFF Fee</b>			1,006.26
<b>Total GSA Price</b>			135,174.76
<b>Open Market Items:</b>			
Upgrade to 42' 7 workstation Model			9,700.00
Slide-out in Communications Area 10' wide x 30" 3 workstations			11,300.00
Slide-out in conference area 9' wide x 30" with bench seating			9,450.00
Delivery			4,400.00
<b>Total</b>			170,024.76