

# City of Las Cruces®

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 13

Ordinance/Resolution# 10-11-537

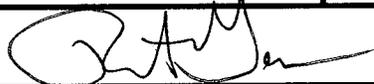
For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)

For Meeting of September 6, 2011  
(Adoption Date)

**TITLE:** A RESOLUTION TO AWARD THE PURCHASE OF TWO (2) NEW CHEVROLET CAMAROS FROM BRAVO CHEVROLET-CADILLAC OF LAS CRUCES, NEW MEXICO, IN THE AMOUNT OF \$75,598 AND TO ADJUST THE BUDGET FOR FISCAL YEAR 2012.

**PURPOSE(S) OF ACTION:**

Purchase two (2) Chevrolet Camaros for the Police Department.

<b>COUNCIL DISTRICT: ALL</b>		
<b><u>Drafter/Staff Contact:</u></b> Donald Haskins	<b><u>Department/Section:</u></b> Facilities/Fleet Services	<b><u>Phone:</u></b> 541-2596
<b><u>City Manager Signature:</u></b>		

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

Earlier in 2011, the Police Department requested that Fleet Services provide a bid package for two (2) Chevrolet Camaros as replacement units for the Police Traffic Unit with Traffic Safety Funds being used for the purchase. In an effort to expedite delivery a local vendor conducted a nationwide search to locate out-of-stock units. Cars painted dark blue were rare; but Bravo Chevrolet of Las Cruces did find two (2) vehicles that were in compliance with the bid specifications and these are the units we are requesting to purchase. The units to be replaced will be determined upon arrival of the new units.

The two (2) units being purchased are separate in number and funding from the police vehicle purchases for FY11-12. Vehicle Acquisition Funding (VAF) and STOP Funding in excess of \$1,000,000 has been authorized to purchase new police units. The funding will be used to purchase twenty-nine (29) patrol-type units and two (2) support units; prisoner transport van and 4x4 for off-road investigations. Bids for the patrol-type units are currently being advertised.

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A", Purchasing Manager's Request to Contract (PMRC).
3. Exhibit "B", Budget Adjustment.
4. Exhibit "C", Fleet Administrator's Acceptance Memorandum.
5. Exhibit "D", Purchasing Department Request for Sole Source Determination.

(Continue on additional sheets as required)

**SOURCE OF FUNDING:**

<b>Is this action already budgeted?</b>	Yes	<input type="checkbox"/>	See fund summary below
	No	<input checked="" 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 checked="" type="checkbox"/>	Proposed funding is from fund balance in the FY 2011 Traffic Safety (2423) 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**

These two (2) vehicles were budgeted in FY 2011 but were never received. This budget adjustment will carry over the funds appropriated in FY 2011 to FY 212 for the purchase.

**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Traffic Safety Patrol Traffic Major Equipment	2423- 24807020- 851200	\$75,598	\$75,598 (Pending Adjustment)	\$0	N/A

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will award the purchase of two (2) new Chevrolet Camaros from Bravo Chevrolet of Las Cruces, New Mexico.
2. Vote "No"; this will not allow the purchase of two (2) new Chevrolet Camaros. This would require Fleet Services to pursue other options which could hinder additional emergency services for the citizens of Las Cruces.
3. Vote to "Amend"; this could modify the Resolution and advise staff of necessary adjustments as deemed necessary.
4. Vote to "Table"; this could cause a delay in much needed additional emergency services for the citizens of Las Cruces.

**REFERENCE INFORMATION:**

N/A

(Continue on additional sheets as required)

**RESOLUTION NO. 10-11-537**

**A RESOLUTION TO AWARD THE PURCHASE OF TWO (2) NEW CHEVROLET CAMAROS FROM BRAVO CHEVROLET-CADILLAC OF LAS CRUCES, NEW MEXICO, IN THE AMOUNT OF \$75,598 AND TO ADJUST THE BUDGET FOR FISCAL YEAR 2012.**

The City Council is informed that:

**WHEREAS**, on behalf of the City of Las Cruces, the Fleet Management Section requests adjustment of the Fiscal Year 2012 Budget; and

**WHEREAS**, the Fleet Management Section requests the award of the purchase of two (2) Chevrolet Camaros from Bravo Chevrolet-Cadillac of Las Cruces, New Mexico, a local business; and

**WHEREAS**, Bravo Chevrolet-Cadillac is the only dealer in the state of New Mexico that was able to meet the published specification; and

**WHEREAS**, there is a need to purchase these police cars to accommodate the increasing population and to better provide efficient, reliable transportation for our police service; and

**WHEREAS**, for such reasons, City operations create a demand for expeditious acquisition of police vehicles, whether planned or unplanned; and

**WHEREAS**, because the police vehicle specifications can be well defined, a fixed price quote via a pricing contract for equipment needed by the City of Las Cruces may be established for the expeditious acquisition of such police car accessory equipment packages.

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

(I)

THAT the Fiscal Year 2012 Budget is hereby amended as designated in Exhibit "B" attached hereto and made a part of this Resolution.

(II)

THAT the purchase of two (2) Chevrolet Camaros be awarded to Bravo Chevrolet-Cadillac of Las Cruces, New Mexico for \$75,598.

(III)

THAT Bravo Chevrolet-Cadillac is the only dealer in the state of New Mexico that was able to meet the published specifications.

(IV)

THAT funding will be through the Traffic Safety Major Equipment Fund Account Number 24807020-851200.

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

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

ATTEST:

APPROVED:

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

\_\_\_\_\_  
Mayor

(SEAL)

VOTE:

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

Mayor Miyagishima: \_\_\_\_\_

Councillor Silva: \_\_\_\_\_

Councillor Connor: \_\_\_\_\_

Councillor Pedroza: \_\_\_\_\_

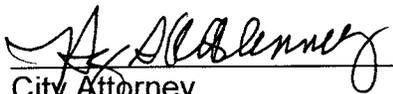
Councillor Small: \_\_\_\_\_

Councillor Sorg: \_\_\_\_\_

Councillor Thomas: \_\_\_\_\_

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

APPROVED AS TO FORM:

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

**CITY OF LAS CRUCES****PURCHASING MANAGER'S REQUEST TO CONTRACT**

For Meeting of: August 15, 2011

Resolution No.: 10-11-537

**Sole Source Contract Purchase For  
Chevrolet Camaro Police Vehicles**

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

**SOLICITATION INFORMATION:**

- |    |                                  |  |
|----|----------------------------------|--|
| 1. | Description:                     | <b>2011 Chevrolet Camaro Police Vehicles</b> |
| 2. | Using Department:                | <b>Police Department</b>                     |
| 3. | Current Award Recommendation To: | <b>Bravo Chevrolet of Las Cruces</b>         |
| 4. | Total Award Amount:              | <b>\$75,598.00</b>                           |
| 5. | Contract Duration:               | <b>Until Delivered</b>                       |

**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

 10/29/11  
 Date
**CONFIRMATION OF FUND ENCUMBRANCE:**

REQUISITION OR PURCHASE ORDER NUMBER:	<b>Pending Budget Adjustment</b>
---------------------------------------	----------------------------------

CITY OF LAS CRUCES  
ADOPTED BUDGET FY 2011/2012

FUND	DIVISION		FUND TYPE	
Traffic Safety Education Fund 2423	Police		Special Revenue	
	FY 2010/11 Projected*	FY 2011/12 Adopted	Adjustment	FY 2011/12 Adjusted
<b>RESOURCES</b>				
Beginning Balance	\$ 77,233	100,529		100,529
<b>REVENUES</b>				
532023 Traffic Safety Education Fee	\$ 42,811	35,000		35,000
570010 Investment Income	1,726	1,500		1,500
570015 Net Incr (Decr) Fair Value Investment	(4,143)	0		0
<b>Total Revenues</b>	<b>\$ 40,394</b>	<b>36,500</b>	<b>0</b>	<b>36,500</b>
<b>Total Resources</b>	<b>\$ 117,627</b>	<b>137,029</b>	<b>0</b>	<b>137,029</b>
<b>EXPENDITURES</b>				
Personnel	\$ 2,958	6,500		6,500
Operating	14,140	20,000		20,000
Capital	0	0	75,598	75,598
<b>Total Expenditures</b>	<b>\$ 17,098</b>	<b>26,500</b>	<b>75,598</b>	<b>102,098</b>
<b>ENDING BALANCE</b>	<b>\$ 100,529</b>	<b>110,529</b>	<b>(75,598)</b>	<b>34,931</b>

\*Projected based on 8 months actual through February 28, 2011 and 4 months projected.

**City of Las Cruces**®

TO: Bertha Chavira, General Buyer  
FROM: Donald Haskins, Fleet Services Administrator *clh*  
DATE: July 27, 2011  
SUBJECT: Acceptance Memo for Bid No. 10-11-537  
FILE NO: F-11-110

Fleet Services staff had advertised a bid for two (2) Chevrolet Camaros. One bid was received and reviewed. Fleet Services would like to recommend award to Bravo Chevrolet-Cadillac of Las Cruces, NM, a local business.

The bid submitted was compliant with the published specifications of Bid No. 10-11-537, and Fleet Services considers the bid to represent a fair and equitable agreement for the City of Las Cruces.

A requisition will be generated utilizing Traffic Safety Patrol Traffic Major Equipment Account No. 24807020-851200.

Should you have any questions, please contact me at 541-2596.

cc: Brian Denmark, Assistant City Manager/Chief Operating Officer

11 JUL 27 3:20 PM

**City of Las Cruces Purchasing Department  
Request for Sole Source Determination**

To: Purchasing Manager

**ACKNOWLEDGEMENT**

I am aware of the City's requirements for purchasing all items at the most competitive pricing and the criteria for justification for Single Source/Sole Brand purchasing. I have gathered the required technical information and have made a concerted effort to review comparable/equal equipment (e.g. market research). I have attached the pertinent documentation showing what market research was conducted to preclude other items from consideration.

Requestor: Donald Haskins

*(Note: The requestor is the individual requesting the purchase, not necessarily the person entering the requisition, the requestor should be expert in the respective field capable of supporting this request)*

Signed: Donald J. Haskins Date: July 29, 2011

Requisition Number: N/A

**Recommended Sole Source Procurement with:**

Company Name: Bravo Chevrolet-Cadillac

Contact Name: German Sanchez

Address: 1601 S Main

City, State, Zip: Las Cruces, NM 88005

Telephone: (575) 527-3800

Is the recommended company the manufacturer?  yes  noDoes the manufacturer sell the item(s) through distributors?  yes  no

Description of Product/Services: Two (2) Imperial Blue Chevrolet Camaros

Estimated Cost: \$75,598

## City of Las Cruces Procurement Code

### 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:

- (1) Substantial duplication of cost to the city that is not expected to be recovered through competition; or
- (2) Unacceptable delays in fulfilling the city's requirement.

The purchasing manager may 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.

### SOLE SOURCE RATIONALE:

It is important to sufficiently address the major reason for conducting a sole source procurement by avoiding peripheral issues which detract from the main reason and reduce the credibility of the justification. The rationale must be clear and convincing by avoiding generalities and unsupported conclusions. **Please respond to the following:**

- A. Are there any other companies who can provide the product/service?  
Yes
- B. Are there special conditions that are the basis for selecting the recommended company such as:
  - The required item(s) are proprietary to the Contractor,
  - A specific item is needed,
  - Item must be compatible or interchangeable with existing hardware,
  - Item is a spare or replacement hardware,
  - Item for the repair or modification of existing hardware, or
  - Item is for technical evaluation or test.

- It is not possible to obtain competition (i.e. only one source is capable of supplying the items or meeting the requirements). **In a brief explanation, provide supporting evidence for this conclusion; identify other sources considered with explanation of why they are not able to meet requirements.**

Bravo Chevrolet-Cadillac is the only dealer in the state of NM to have the two Chevrolet Camaros in the Imperial Blue color. It would be more costly to find less expensive vehicles that meet the specified requirements and then paint them.

- There is a substantial technical risk in contracting with any other contractor that will result in an unacceptable course of action. **In a brief explanation, provide supporting evidence of other contractor's with relevant capabilities and emphasize their inability to overcome the substantial technical risks.**

- For support services effort, there is no reasonable expectation that a meaningful cost or other improvement could be made in the incumbent contractor's performance (e.g. the chances of another firm winning a competition are clearly remote). **Please provide an explanation.**

*Approved  
J. [Signature]*