

DATE: July 21, 2010

TO: Mayor and City Council Members

FROM: Public Works/Utilities Department

SUBJECT: **RESOLUTION NO. 8712 - A RESOLUTION REJECTING BID FROM WELLS SWEEPING LLC. AS NON-RESPONSIVE AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH CUMMINS WEST INC. FOR NINE DIESEL ENGINE EXHAUST RETROFITS TO MEET CALIFORNIA AIR RESOURCES BOARD EMISSION REQUIREMENTS AND APPROPRIATION OF FUNDS**

BACKGROUND / ISSUE

The California Air Resources Board (CARB) is responsible for taking action that would implement programs to reduce air pollutants. CARB has mandated programs to reduce both Nitrous Oxide (NOx) and Diesel Particulate Matter in Title 13 of the California Code of Regulations.

To meet the current deadlines for compliance with CARB regulations the City will need to retrofit eight (8) Heavy Duty Diesel Engine vehicles in the Solid Waste Collection Vehicle class and one (1) in the Public Agency Vehicle class by December 31, 2010. All of these vehicles are assigned to the Public Works/Utilities Department, Solid Waste Collections Division. Each retrofit system will be approved and verified by CARB to provide the highest level diesel emission control strategy, for each specific engine, to reduce particulate matter. This will complete the required diesel engine retrofits for the City's On Road Heavy Duty Diesel Fleet.

This resolution will authorize the City Manager to execute an agreement to retrofit nine diesel powered vehicles at a cost of \$132,407.50.

POLICY / RULE

In accordance with Chapter 2.36 of the Folsom Municipal Code, states, in part, that supplies, equipment, services, and construction with a value of \$41,750 or greater shall be awarded by City Council.

ANALYSIS

Bids were solicited by advertising in The Sacramento Bee in the June 2, 2010, edition. The bid opening for Bid No U-10/11-001 was held in the City Council Chambers on July 1, 2010, at 10:00 a.m. The following Bids were received:

1. Wells Sweeping	\$131,145.00 *
2. Cummins West Inc.	\$132,407.50
3. A-Z Bus Sales	\$159,099.38

*The Bid received from Wells Sweeping was a partial bid for six vehicles only.

Staff reviewed the bids to determine compliance with the specifications set forth in the bid documents. The bid received from Wells Sweeping was for six vehicles only and therefore was non-responsive. Staff determined the bid received from Cummins West Inc., met all specifications set forth in this Request for Bid. No bids were received from Folsom vendors.

FINANCIAL IMPACT

The expense to retrofit the solid waste vehicles was not in the FY2010-11 Budget. There are funds available in the Solid Waste Operating Fund (Fund 540) and staff is requesting appropriation of \$132,407.50 in order to comply with the California Air Resource Board.

ENVIRONMENTAL REVIEW

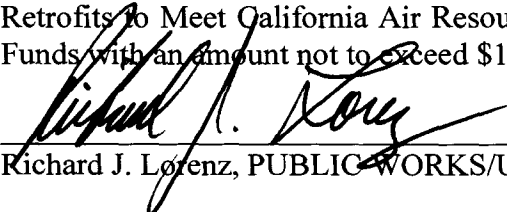
This action is exempt from environmental review under the California Environmental Quality Act (CEQA).

ATTACHMENT

Resolution No. 8712 – A Resolution Rejecting Bid from Wells Sweeping LLC. as Non-responsive and Authorizing the City Manager to Execute an Agreement with Cummins West Inc. for Nine Diesel Engine Exhaust Retrofits to Meet California Air Resources Board Emission Requirements and Appropriation of Funds

RECOMMENDATION/ CITY COUNCIL ACTION

The Utilities Department recommends that the City Council pass and adopt Resolution No. 8712 - A Resolution Rejecting Bid from Wells Sweeping LLC. as Non-responsive and Authorizing the City Manager to Execute an Agreement with Cummins West Inc. for Nine Diesel Engine Exhaust Retrofits to Meet California Air Resources Board Emission Requirements and Appropriation of Funds with an amount not to exceed \$132,407.50.


 Richard J. Lorenz, PUBLIC WORKS/UTILITIES DIRECTOR

RESOLUTION NO. 8712

A RESOLUTION REJECTING BID FROM WELLS SWEEPING LLC. AS NON-RESPONSIVE AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH CUMMINS WEST INC. FOR NINE DIESEL ENGINE EXHAUST RETROFITS TO MEET CALIFORNIA AIR RESOURCES BOARD EMISSION REQUIREMENTS AND APPROPRIATION OF FUNDS

WHEREAS, the Utilities Department has validated the need to purchase nine diesel engine exhaust retrofits; and

WHEREAS, the City is required to comply with California Air Resources Board's regulations under Title Thirteen of the California Code of Regulations; and

WHEREAS, the Bid received from Wells Sweeping LLC. was a partial bid for six diesel engine retrofits and therefore non-responsive; and

WHEREAS, staff recommended acceptance of the responsive, responsible bid received from Cummins West Inc.; and

WHEREAS, staff has complied with the provisions of Folsom Municipal Code, Section 2.36.100; and

WHEREAS, the agreement will be in a form acceptable to the City Attorney:

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes:

- (1) The City Manager to reject the bid from Wells Sweeping LLC. based on the fact it was non-responsive and to execute an agreement with Cummins West Inc. for nine diesel engine exhaust retrofits to meet California Air Resources Board emission requirements and appropriation of funds for a not-to-exceed amount of \$132,407.50.
- (2) The Finance Director to increase appropriations in the Solid Waste Operating Fund (Fund 540) by \$132,407.50.

PASSED AND ADOPTED on this 24th day of August 2010, by the following roll-call vote:

AYES: Council Member(s)

NOES: Council Member(s)

ABSENT: Council Member(s)

ABSTAIN: Council Member(s)

ATTEST:

Jeffrey M. Starsky, MAYOR

Christa Freemantle, CITY CLERK

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