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**Title:** CONSIDER AWARDING A PURCHASE ORDER TO CLARK EQUIPMENT COMPANY, WEST FARGO, ND, FOR THE PURCHASE OF ONE NEW 2023 BOBCAT MT100 MINI TRACK LOADER FOR THE PUBLIC WORKS LANDSCAPE, BUILDING & MAINTENANCE (LBM) DIVISIONS

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Bobcat Sourcewell Contract 031121-CEC, 2. CARSON, CITY - MT100 - NTC-01076v1, 3. WAIVER - CO-OP 031121-CEC - FLOZA

| Date | Ver. | Action By | Action | Result |
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**Report to Mayor and City Council**

Tuesday, April 18, 2023

Consent

**SUBJECT:**

**CONSIDER AWARDING A PURCHASE ORDER TO CLARK EQUIPMENT COMPANY, WEST FARGO, ND, FOR THE PURCHASE OF ONE NEW 2023 BOBCAT MT100 MINI TRACK LOADER FOR THE PUBLIC WORKS LANDSCAPE, BUILDING & MAINTENANCE (LBM) DIVISIONS**

**I. SUMMARY**

Public Works is requesting City Council approval for the purchase of one new 2023 Bobcat MT100 Mini Track Loader through a purchase order to Clark Equipment Company through Sourcewell Contract #031121-CEC dated 04/29/2021 for a price not to exceed \$49,916.50. This piece of equipment has been identified and prioritized as critically necessary for the Public Works maintenance crews to continue to provide the best service and to do so safely and efficiently. Equipment has been prioritized based on maintenance costs, risk of current equipment failure, and current shortages in equipment that prevents staff from operating efficiently and effectively.

**II. RECOMMENDATION**

TAKE the following actions:

1. WAIVE the formal bid process defined by the defined by the Carson Municipal Code, Section 2607, as allowed by Section 2605 (b)(1)(ii).
2. AUTHORIZE the Purchasing Manager to utilize Cooperative Purchasing as allowed by Section 2611 (g) to issue a purchase order in the amount of \$41,908.43 to Clark Equipment Company of West Fargo, ND, for the purchase of one new Bobcat MT100 Mini Track Loader (Exhibit No. 1).

### **III. ALTERNATIVES**

1. DO NOT WAIVE the formal bid process.
2. DO NOT WAIVE the formal contracting process.
3. DO NOT AUTHORIZE the Purchasing Manager to utilize Cooperative Purchasing, as allowed by Section 2611 (g) and issue a purchase order.
4. TAKE another action the City Council deems appropriate, and consistent with the requirements of the law.

### **IV. BACKGROUND**

Section 2611(g) of the City's Municipal Code ("CMC") allows City, through its Purchasing Manager, to dispense with competitive bidding processes to purchase materials, supplies, equipment, or services by utilizing a cooperative purchasing program engaged in by any local, county, State, or Federal public entity or entities, even if the contracts and implementing agreements entered into by the participating entity or association under those cooperative purchasing programs were not entered into under a process that resulted in the contract being awarded to the lowest responsible and responsive bidder under CMC 2610(i); provided, that the selected bidder was selected in compliance with the competitive bidding or proposal process requirements of any participating entity or association within three years of City's approval of the City contract entered into with the selected bidder via cooperative purchasing. The City Council has decided that the benefits to the City of utilizing cooperative purchasing outweigh any incremental higher price that may be paid by the City in certain instances as a result of not soliciting directly utilizing the lowest responsible and responsive bidder standard under CMC 2610(i).

Sourcewell is a cooperative purchasing agency established to allow participating municipal agencies to reduce the cost of procurement by leveraging the benefits of contract purchasing. Through solicitations, Sourcewell contracts bring considerable value and efficiencies to members through nationally leveraged contracted suppliers with access to the highest quality products and brands. Each solicitation and RFP contain language, which includes all qualified customers in all fifty states. Sourcewell contract purchasing solutions are reviewed by the Sourcewell Board of Directors and awarded on the members' behalf.

The City of Carson (ID# 38521) is a member of Sourcewell. All purchases of the items listed below are proposed to be purchased through Sourcewell. The City of Carson is responsible for the maintenance of twelve parks, four mini-parks, and civic facilities. The equipment being requested is one new 2023 Bobcat MT100 Mini Track Loader through a purchase order to Clark Equipment Company, through Sourcewell Contract #031121-CEC dated 04/28/2021 and will be used in the day-to-day landscape maintenance in addition to the preparation for City-sponsored events such as irrigation repairs, landscaping, handling of raw landscape materials. This is a new equipment purchase will increase efficiency by reducing project completion time, a reducing work-related injuries. A quote for this equipment was prepared for the City on March 29, 2023, for \$41,908.43.

#### **V. FISCAL IMPACT**

None. The funding requested for this Purchase Order for \$41,908.43 is budgeted in the General Fund account no. 101-80-840-107-8004.

#### **VI. EXHIBITS**

1. Sourcewell Contract
2. Quotation/Equipment Specifications
3. Purchasing Waiver

Prepared by: Freddy Loza, Landscape, Building, and Maintenance Superintendent