

RESOLUTION NO. 2012-63

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
VACATING AND SETTING ASIDE THE AWARD OF A CONTRACT TO
ELK GROVE FORD AND AUTHORIZING THE CITY MANAGER TO
EXECUTE A THREE-YEAR TERM CONTRACT WITH DOWNTOWN FORD
SALES OF SACRAMENTO TO SERVICE AND REPAIR CITY VEHICLES
IN AN AMOUNT NOT-TO-EXCEED \$396,000**

WHEREAS, the City of Elk Grove's Fleet division maintains City vehicles including mechanical, structural and aesthetic standards; and

WHEREAS, in October of 2011 the City issued a formal request for quotations, seeking proposal for the service and repair of City vehicles; and

WHEREAS, Downtown Ford Sales of Sacramento (Downtown Ford) met all of the criteria in the request for quotation and was determined by staff to be the lowest responsive, responsible bidder to the City; and

WHEREAS, at the December 14, 2011 City Council meeting, the City Council directed that the award of the contract be made to Elk Grove Ford, the responsive and responsible second low bidder, finding such award to be in the best interest of the City and consistent with Elk Grove Municipal Code Section 3.42.180; and

WHEREAS, Downtown Ford filed a lawsuit challenging the award of the contract to Elk Grove Ford; and

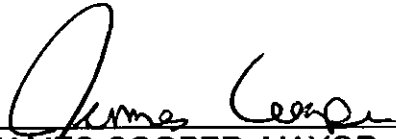
WHEREAS, by its ruling of March 19, 2012, the Sacramento County Superior Court ruled that a writ of mandate (court order) shall be issued directing the City to vacate its award of the contract to Elk Grove Ford; and

WHEREAS, in light of the Court's ruling, the City Council wishes to exercise its discretion to award the contract to Downtown Ford; and

WHEREAS, Fleet Services has sufficient funding identified in its Fiscal Year 2011-12 operating budget for this service.

NOW, THEREFORE BE IT RESOLVED that, upon service of a writ of mandate upon the City directing the setting aside of the contract to Elk Grove Ford, such contract shall be deemed vacated and set aside, and the City Manager is thereafter authorized and directed to execute a three-year contract with Downtown Ford Sales of Sacramento with the option of one additional two-year extension to service and repair City owned vehicles in an amount not-to-exceed \$396,000.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 11th day of April 2011.




JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:




JONATHAN HOBBS,
INTERIM CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2012-63**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on April 11, 2012 by the following vote:

AYES : COUNCILMEMBERS: Cooper, Hume, Detrick, Scherman
NOES: COUNCILMEMBERS: Davis
ABSTAIN : COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None


**Jason Lindgren, City Clerk
City of Elk Grove, California**