

**RESOLUTION NO. 2013-139**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
DISPENSING WITH COMPETITIVE BIDDING AND AUTHORIZING THE CITY  
MANAGER TO EXECUTE A CONTRACT WITH NEW FLYER OF AMERICA INC.  
FOR THREE (3) 40' COMPRESSED NATURAL GAS (CNG) TRANSIT BUSES IN AN  
AMOUNT NOT-TO- EXCEED \$1.6 MILLION THROUGH A COOPERATIVE  
PURCHASING AGREEMENT**


**WHEREAS**, the City of Elk Grove operates a comprehensive schedule of transit services, including both commuter service and an extensive local fixed route service, with a maximum service level operated during the morning and evening commute hours (peak). As the system rapidly grew, the City acquired numerous used vehicles to meet demand. These vehicles varied greatly in age, condition and useful life; and

**WHEREAS**, in May of 2012, consistent with Elk Grove Municipal Code Section 3.42.180(B)(4), the City entered into an Assignment of Options contract C-12-203 to purchase up to 12 buses from New Flyer of America Inc. In early 2012, the City was successful in securing a \$1.5 million grant through the Sacramento Area Council of Governments (SACOG) to replace three vehicles with new CNG buses however the funding was dependent on the sale of Proposition 1B bonds so at that time the City did not exercise any of the purchasing options under Contract C-12-203. Proposition 1B bonds were sold in April of 2013 now making the funding to purchase the buses available for the City on a reimbursement basis; and

**WHEREAS**, the \$1.5 million of awarded Caltrans Proposition 1B bond funds will also require approximately \$100,000 of additional funds to complete the purchase. The additional funds required will be obtained from savings achieved in the rehabilitation of nine Georgia Regional Transit Authority (GRTA) buses project that is also funded with Caltrans bond funds. City staff will request an amendment to the GRTA project through the Sacramento Area Council of Government's Transit Coordinating Committee (TCC) to allow for the funds to be used. This action by the TCC is expected, through consultation with SACOG staff, by end of July 2013.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council dispenses with competitive bidding and authorizes the City Manager to execute a contract with New Flyer of America for the purchase of three (3) 40' compressed natural gas transit buses in an amount not-to-exceed \$1.6 million through a cooperative purchasing agreement.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 24<sup>th</sup> day of July 2013.

  
\_\_\_\_\_  
GARY DAVIS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JONATHAN P. HOBBS,  
CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2013-139**

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

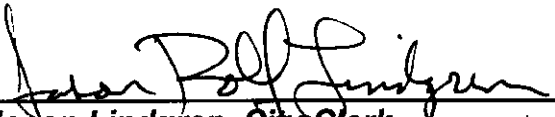
*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on July 24, 2013 by the following vote:*

**AYES :**       **COUNCILMEMBERS:**     *Davis, Detrick, Cooper, Hume, Trigg*

**NOES:**       **COUNCILMEMBERS:**     None

**ABSTAIN :**   **COUNCILMEMBERS:**     None

**ABSENT:**    **COUNCILMEMBERS:**     None

  
\_\_\_\_\_  
Jason Lindgren, City Clerk  
City of Elk Grove, California