



# CITY OF SAINT PAUL

## ALASKA

### RESOLUTION 23-25

#### A RESOLUTION AUTHORIZING AN EXCEPTION TO COMPETITIVE BIDDING AND/OR PRICING QUOTES FOR THE CITY OF SAINT PAUL TO PURCHASE HEAVY EQUIPMENT

**WHEREAS**, the City Code of Ordinances (CCO) Title 4 – Revenue and Finance, Chapter 4.15 – Purchasing, Section 4.15.030(a) requires a competitive bid process for purchases over \$50,000, but the City Council, by resolution, may waive competitive bid procedures if provided in Section 4.15.040; and,

**WHEREAS**, Section 4.15.040(c)(4) allows for exceptions to the competitive bid process for sole source purchases where detailed justification is obtained that establishes beyond a doubt that the vendor is the only source available to provide the item or service required; and

**WHEREAS**, it is the intent of the City to purchase two new pieces of heavy equipment in 2024 that cost over \$150,000 each; and,

**WHEREAS**, the City would like to standardized it's heavy equipment fleet with the same make of equipment for the purpose of gaining efficiencies in maintenance and repair; and,

**WHEREAS**, the City currently has a number of newer Caterpillar equipment, including a loader, excavator, and grader; and,

**WHEREAS**, the City has received a grant from the US Environmental Protection Agency (EPA), Grant Number 02J44501 for the Aalax Landfill Development Project, which is to develop a new landfill at the Aalax site near Polovina Hill, which will include new landfill cells, fencing, signage, equipment building, access road and purchase of equipment for solid waste management including new burn boxes, heavy equipment, and drop boxes; and,

**WHEREAS**, it is the intent of the City to purchase a Caterpillar 963 Track Loader (“ Track Loader”) with accessories at the estimated price of \$579,247; and,

**WHEREAS**, after conducting research it has been determined other comparable manufacturers do Track Loader (“ Track Loader”) with accessories; and,

**WHEREAS**, the only authorized dealer for Caterpillar for Alaska is NC Machinery who has exclusive and protected rights to sell Caterpillar equipment in Alaska; and,

**WHEREAS**, it is the intent of the City to purchase a Volvo EL140 Excavator (“ Excavator”) with accessories at the estimated price of \$212,601; and,

**WHEREAS**, Construction Machinery Industrial, LLC is the authorized dealer for Volvo equipment for in Alaska; and,

**WHEREAS**, the discounted quotes are based on Sourcewell and AKDOT contracts which have been competitively bid; and,

**WHEREAS**, the discount provided on Volvo equipment is greater than on Caterpillar equipment, which results in a savings of approximately \$100,000; and,

**WHEREAS**, the City would not be able to come near the same level of discount or purchasing power on a one-off bid if done on its own; and,

**WHEREAS**, the shipping logistics to Saint Paul Island are a challenge and it is most cost effective to ship the Loader out of Seattle, Washington; and,

**WHEREAS**, it is in the best interest of the City and the public to use public funds conservatively and seek the best value; and,

**NOW, THEREFORE, BE IT RESOLVED** the Council of the City of Saint Paul, Alaska:

**Section 1:** Approves the purchase of the Excavator and Track Loader for the City in accordance with the approved EPA Grant Number 02J44501; and,

**Section 2:** By authorizing this resolution waives the competitive bidding process for the purchase of the Track Loader pursuant to Section 4.15.040(c)(4), after finding that beyond a doubt NC Machinery, as the sole authorized Caterpillar dealer for Alaska, is the only source available to provide the item required; and,

**Section 2:** By authorizing this resolution waives the competitive bidding process for the purchase of the Track Loader pursuant to Section 4.15.040(c)(4), after finding that beyond a doubt Construction Machinery Industrial, LLC, as the sole authorized Volvo dealer for Alaska, is the only source available to provide the item required; and,

**Section 3:** Authorizes the City Manager to work with Construction Machinery Industrial, LLC to purchase the Excavator and to work with NC Machinery to purchase the Track Loader for the City in accordance with the approved EPA Grant Number 02J44501.

PASSED AND ADOPTED BY APPROVAL OF THE COUNCIL OF THE CITY OF SAINT PAUL THIS 12<sup>th</sup> DAY OF DECEMBER, 2023 BY \_\_\_ IN FAVOR \_\_\_ OPPOSED AND \_\_\_ ABSTAIN.

ATTEST:

\_\_\_\_\_  
Aubrey Wegeleben, City Clerk

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Jacob N. Mercurief, Mayor