



Legislation Text

File #: 2019-0295, **Version:** 1

DATE: September 16, 2019

SUBJECT:

RESOLUTION SELECTING AND AUTHORIZING PURCHASE AGREEMENT WITH 72 HOUR LLC DBA NATIONAL AUTO FLEET GROUP FOR THE PURCHASE OF ONE FULL SIZE POLICE SPORT UTILITY VEHICLE, TWO STANDARD POLICE PATROL SPORT UTILITY VEHICLES AND TWO STANDARD UNMARKED SPORT UTILITY VEHICLES FOR A TOTAL COST NOT TO EXCEED \$210,000. FUNDS FOR FISCAL YEAR 2020 HAVE BEEN BUDGETED.

EXECUTIVE SUMMARY:

The FY 20 Equipment Outlay Budget included the purchase of one (1) full size police sport utility vehicle, two (2) standard police patrol sport utility vehicles and two (2) standard unmarked sport utility vehicles. Staff coordinated procurement under a Sourcewell, formerly called National Joint Powers Alliance (NJPA) Cooperative Purchasing Agreement with the 72 Hour LLC dba National Auto Fleet Group for the purchase of one full size police sport utility vehicle, two standard police patrol sport utility vehicles and two standard unmarked sport utility vehicles.

Staff recommends selecting authorizing agreements for the purchase of one (1) full size police sport utility vehicle, two (2) standard police patrol sport utility vehicles and two (2) standard unmarked sport utility vehicles with 72 Hour LLC dba National Auto Fleet Group for an amount not to exceed \$210,000.

RECOMMENDATION:

Adopt a Resolution selecting and authorizing purchase agreements with the 72 Hour LLC dba National Auto Fleet Group for the purchase of one (1) full size police sport utility vehicle, two (2) standard police patrol sport utility vehicles and two (2) standard unmarked sport utility vehicles in the amount not to exceed \$210,000.

FISCAL IMPACT:

Funds for these vehicle purchases are included in the approved FY 20 Equipment Outlay Budget under the Harbor Police Department.

COMPASS STRATEGIC GOALS:

This agenda item supports the following Strategic Goal(s).

- A Port that the public understands and trusts.

- A Port that is a safe place to visit, work and play.
- A Port with an innovative and motivated workforce.
- A financially sustainable Port that drives job creation and regional economic vitality.

DISCUSSION:

The Board of Port Commissioners (Board) authorized and approved the budget of \$210,000 for FY 20 for the purchase of one (1) full size police sport utility vehicle, two (2) standard police patrol sport utility vehicles and two (2) standard unmarked sport utility vehicles. The total cost for the purchases of the vehicles is estimated at \$210,000.

The NJPA is a member-focused public cooperative of more than 50,000-member agencies throughout the United States and is available to any government agency, education institution (private or public), tribal entity or nonprofit organization nationwide at no cost associated with membership. Its primary purpose is to serve as a national municipal contracting agency to create a national cooperative of contract purchasing opportunities for products and services on behalf of its members. Cooperative contract purchasing opportunities save members time and money in their search, and purchase money in their search, and purchase for equipment and technology leveraging combined national purchasing power through cooperative efforts.

The requested purchase of one (1) full size police sport utility vehicle, two (2) standard police patrol sport utility vehicles and two (2) standard unmarked sport utility vehicles will be under a NJPA preapproved contract with National Auto Fleet Group, NJPA contract number 120716NAF. National Auto Fleet Group was awarded the NJPA contract under a fifty-state (50) vehicle contract covering numerous manufacturers and utility body companies with the related accessories that are utilized in all public fleets. The company was founded in 1949; their main office is located at Watsonville, California and has over fifty years (50) of experience selling and servicing public entities nationally and in Canada.

Staff recommends authorizing the approval to purchase under the NJPA Cooperative Purchasing Agreement with National Auto for the one full size police sport utility vehicle, two standard police patrol sport utility vehicles and two standard unmarked sport utility vehicles.

Staff is requesting Board approval to award the purchase of the one (1) full size police sport utility vehicle, two (2) standard police patrol sport utility vehicles and two (2) standard unmarked sport utility vehicles with the 72 Hour LLC dba National Auto Fleet Group, for an amount not to exceed \$210,000.

General Counsel's Comments:

The Office of the General Counsel has reviewed and approved this agenda, as presented, as to form and legality.

Environmental Review:

The proposed Board direction or action, including without limitation, authorizing and approving a purchase agreement for vehicles, does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because no direct or indirect

changes to the physical environment would occur. CEQA requires that the District adequately assess the environmental impacts of projects and reasonably foreseeable activities that may result from projects prior to the approval of the same. Any project developed as a result of Board's action or direction that requires the District or the Board's discretionary approval resulting in a physical change to the environment will be analyzed in accordance with CEQA prior to such approval. CEQA review may result in the District, in its sole and absolute discretion, requiring implementation of mitigation measures, adopting an alternative, including without limitation, a "no project alternative" or adopting a Statement of Overriding Consideration, if required. The current Board direction in no way limits the exercise of this discretion. Therefore, no further CEQA review is required.

In addition, the proposed Board action complies with Sections 21, 35, and 81 of the Port Act, which allow for the Board to pass resolutions, to do all acts necessary and convenient for the exercise of its powers, and for the use District funds for expenses of conducting the District. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

The proposed Board direction or action does not allow for "development," as defined in Section 30106 of the California Coastal Act, or "new development," pursuant to Section 1.a. of the District's Coastal Development Permit (CDP) Regulations because they will not result in, without limitation, a physical change, change in use or increase the intensity of uses. Therefore, issuance of a Coastal Development Permit or exclusion is not required. However, development within the District requires processing under the District's CDP Regulations. Future development, as defined in Section 30106 of the Coastal Act, will remain subject to its own independent review pursuant to the District's certified CDP Regulations, PMP, and Chapters 3 and 8 of the Coastal Act. The Board's direction or action in no way limits the exercise of the District's discretion under the District's CDP Regulations. Therefore, issuance of a CDP or exclusion is not required at this time.

Equal Opportunity Program:

Due to limited known sub opportunities, no SBE goal was established for this purchase.

PREPARED BY:

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