

RESOLUTION NO 1039

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES WAIVING COMPETITIVE BIDDING AND APPROVING A SOLE SOURCE AGREEMENT FOR AN EXTENDED WARRANTY AND SERVICE AGREEMENT WITH CUMMINS POWER GENERATION, INC., COLUMBUS, INDIANA

WHEREAS, the City has a requirement for an extended ten-year warranty and service agreement for four generator sets located at the Laguna Wastewater Treatment Plant; and

WHEREAS, Cummins Power Generation, Inc., as the manufacturer of the generator sets, is the sole provider of the extended warranty and service agreement; and

WHEREAS, Cummins Power Generation, Inc. has submitted a proposal for the ten-year extended warranty and service agreement; and

WHEREAS, City staff has thoroughly analyzed the proposal submitted by Cummins Power Generation, Inc., and recommends it would be in the City's best interests to accept; and

WHEREAS, the Board of Public Utilities has considered the report of City staff and has concluded it would be in the City's best interests to accept the proposal submitted by Cummins Power Generation, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities waives competitive bidding and approves a sole source agreement for an extended ten-year warranty and service agreement for four generator sets with Cummins Power Generation, Inc., Columbus, Indiana, in the amount of \$380,000, subject to receipt of a signed agreement from Cummins Power Generation, Inc., and approval as to form by the City Attorney's Office.

BE IT FURTHER RESOLVED that the Board of Public Utilities authorizes the Chief Financial Officer to pay all claims for this purchase from Project 86370 Power Generation Project, Phase 1.

DULY AND REGULARLY ADOPTED this 17th day of January, 2013.

AYES: (6) DOWD, CARNEY, GALVIN, LOWRY, MEECHAN AND SWINTH

NOES: (0)

ABSENT: (1) GALE

ABSTAIN: (0)

APPROVED: \_\_\_\_\_  
Chairman Richard Dowd

ATTEST: \_\_\_\_\_  
Gina Perez, Recording Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney