CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: General Services-Fleet Services

AGENDA DATE: 3/24/09

CONTACT PERSON/PHONE: Stuart Ed, Director, General Service (Dept head)
Terrence Freiburg, Purchasing Manager, 541-4313

DISTRICT (S) AFFECTED: All

SUBJECT:
APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include $ amount if applicable.

Approve Wagner Equipment Co., El Paso, TX as a sole source for the purchase of Caterpillar Parts and service. Estimated annual expenditures are $160,000.00

BACKGROUND / DISCUSSION:
Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Sole source letter and affidavit attached. This request is for the parts, service and maintenance of Caterpillar Equipment for all departments of the City of El Paso.

PRIOR COUNCIL ACTION:
Has the Council previously considered this item or a closely related one?

Yes, council previously awarded the sole source contract of Caterpillar Parts, Service and Maintenance to Rust Tractor Company on June 25, 2002.

AMOUNT AND SOURCE OF FUNDING:
How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

37370510-503121 or 503125-45202-3700, General Services Dept, Internal Service Fund

BOARD / COMMISSION ACTION:
Enter appropriate comments or N/A

N/A

********************REQUIRED AUTHORIZATION*********************

LEGAL: _____ (If required) **FINANCE:** _____ (If required)

DEPARTMENT HEAD: _____
Name Signature Date

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

FINANCIAL SERVICES DEPARTMENT, PURCHASING DIVISION

DATE: March 9, 2009

TO: Municipal Clerk

FROM: Terrence Freiburg
Purchasing Manager, ext. 4313

Please place the following item on the **CONSENT** Agenda for the Council Meeting of **March 24, 2009.**

Item should read as follow:

Request that the Purchasing Manager, Financial Services, Purchasing Division, be authorized to issue a Purchase Order to WAGNER EQUIPMENT, CO.; the sole authorized sales, parts, and service distributor in El Paso, Texas for CATERPILLAR GENUINE PARTS, PRODUCT, SUPPORT SERVICE, AND MAINTENANCE (estimated annual total $160,000.00). Total estimated three (3) year award, $480,000.00 with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Estimated Annual Amount:	$160,000.00
Total Estimated Award:	$480,000.00
Funds Available in:	37370510-503121-45202
	37370510-503125-45202
Funds Source:	General Services Internal Service Fund
Department:	General Services

Edward Hyatt

Reviewed by Edward Hyatt, Administrative Analyst

SPECIAL INSTRUCTIONS:

Municipal Clerk's Use ITEM NO. _____

cc: BID FILE 2009-147

Prepared by Michael Lau

RECEIVED
PURCHASING DEPARTMENT
2008 OCT -2 PM 2:26

FINANCIAL SERVICES
PURCHASING DIVISION

SOLE SOURCE AFFIDAVIT

THIS IS AN OFFICIAL PURCHASING DOCUMENT – RETAIN WITH PURCHASE ORDER FILE

Before me, the undersigned official, on this day, personally appeared Jason J. Bowles, a person known to me to be the person whose signature appears below, whom after being duly sworn upon his/her oath deposed and said:

1. My name is Jason J. Bowles. I am over the age of 18, have never been convicted of a crime and am competent to make this affidavit.
2. I am an authorized representative of the following company or firm: Wagner Equipment Co.
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
   Authorized Caterpillar dealer for Sales, Parts, and Service
4. Competition in providing the above named item(s) product(s), service(s) is precluded by the existence of a patent, copyright, secret process or monopoly as stated under Section 252.022, Subchapter A of the Local Governmental Code 7A or as provided for under 7B-F of the same section. Also, attached hereto is a sole source letter, which sets forth the reasons why this Vendor is a sole source provider (dated and signed).
5. There is/are no other like item(s) or product(s) available for purchase that would serve the same purpose or function.
6. **Note: This Vendor understands that by providing false information on this Sole Source Affidavit, it may be considered a non-responsible Vendor on this and future purchases and may result in discontinuation of any/all business with the City of El Paso.**

Signature

SWORN to before me on this 2nd day of October, 2008.

Teresa Knight
NOTARY PUBLIC

Teresa Knight
PRINTED NAME

4-21-2011
MY COMMISSION EXPIRES

COMPANY NAME: Wagner Equipment Co.
ADDRESS, CITY, STATE & ZIP CODE: 10501 Dyer St. El Paso, TX 79924
PHONE: (915) 821-7651 FAX NUMBER: (915) 821-6432
CONTACT NAME AND TITLE: Jason J. Bowles Account Manager
WEB ADDRESS: www.wagnerequipment.com EMAIL: jbowles@wagnerequipment.com
FEDERAL TAX ID NUMBER: 84-0703569 TEXAS SALES TAX NUMBER: 18407035692

Prepared by Michael Lau

CATERPILLAR®

Caterpillar Inc.

Engine Products Division
P.O. Box 610
Mossville, IL 61552-0610
September 4, 2008

Dear Wagner Power Systems Customer:

Wagner Power Systems is the sole factory authorized Caterpillar dealer for the State of New Mexico with headquarters in Denver, Colorado and branches in Albuquerque, Farmington, Hobbs, Hurley, Tyrone, and El Paso, TX. As an authorized dealer, Wagner has the responsibility for the sales and product support for all Caterpillar manufactured products.

Thank you for your time,

Derek P. Kamp
Power Systems North America – Denver District
Phone: 303-336-3698
Cell: 303-242-1554
Fax: 303-336-3699
Kamp_Derek_P@cat.com

Wagner Equipment Co.

10501 Dyer St.
El Paso, TX 79924
(915)821-7651 – Phone
(915)821-6432 – Fax
www.wagnerequipment.com.com

10/13/2008

City of El Paso
Financial Services
2 Civic Center Plaza
7th Floor
El Paso, TX 79901

To Whom It May Concern:

Wagner Equipment Co. is the authorized dealer for sales, parts, and service for Caterpillar products in Colorado, New Mexico, and far west Texas. If you should have any questions please feel free to contact me at any time. My cell phone number is (915)525-5630 or my e-mail address is jbowles@wagnerequipment.com. Thank you for your business.

Sincerely,

Jason J. Bowles
Account Manager

2008 OCT 17 AM 10: 34
RECEIVED
PURCHASING DEPARTMENT

Prepared by Michael Lau