CITY OF EL PASO, TEXAS
REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: General Services Department

AGENDA DATE: TBD by Financial Services - July 10, 2007

CONTACT PERSON/PHONE: Jeff Belles, 621-6821; Terrence Freiburg, Purchasing Manager, ext. 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.

Award a sole source agreement to Road Machinery for the Komatsu parts and service. Road Machinery is the only authorized Komatsu dealer for west Texas and New Mexico. Estimated annual expenditures are $50,000.

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?

See attached sole source letter from Komatsu.

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

Yes.

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?

45202-37370510-503125, General Services Department, Fleet Services Division

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

DEPARTMENT HEAD: Jeffrey A Belles, June 1, 2007 Jeffrey A Belles

(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:** _____

ROAD MACHINERY

1181 Burgundy Dr., El Paso, Texas 79907 • Phone (915) 872-1001 • Fax (915) 872-9533

May 31, 2007

Attn: Larry Avalos

This letter is to inform you that Road Machinery LLC is the sole source for Komatsu parts in El Paso, Texas. Road Machinery LLC is the Komatsu distributor for west Texas and New Mexico. If you have any questions, please call me at 915-872-1001. Thank you.

Sincerely,

Greg Summerlin

Greg Summerlin
Road Machinery LLC
Product Support Manager

One Continental Towers
1701 W. Golf Road
Rolling Meadows, IL 60008
P: (847) 437-5027
F: (847) 437-5976
e-mail: jannunzio@komatsuna.com

Joseph J. Annunzio
Director,
Distribution Development

Larry Avalos
City of El Paso

June 6, 2007

Dear Mr. Avalos,

Please accept this letter as evidence that Road Machinery, LLC is the exclusive (only) authorized Komatsu distributor for El Paso County, TX.

Sincerely,

Joseph J. Annunzio, CPA, CMA, CFM
Director, Distribution Development

C/Jean/Bill/Letters/wwd311255

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 _____, 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 Walter G Summerlin. 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: Road Machinery LLC.
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s): Komatsu Parts and Services For utility, construction, and mining Komatsu Equipment sales
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.**

W G Summerlin
Signature

SUBSCRIBED AND SWORN to before me on this 14th day of June, 2007.

NOTARY PUBLIC

RICARDO ALMAGUER
MY COMMISSION EXPIRES
April 7, 2009

Ricardo Almaguer
PRINTED NAME

04/07/09
MY COMMISSION EXPIRES

COMPANY NAME: Road machinery LLC

ADDRESS, CITY, STATE & ZIP CODE 1181 Burgundy Dr. El PASO TX 79907

PHONE: 872 - 1001 FAX NUMBER: _____

CONTACT NAME AND TITLE: W. G Summerlin Product support manager

WEB ADDRESS: _____ EMAIL: GSummerlin@Roadmachinery.com

FEDERAL TAX ID NUMBER: _____ TEXAS SALES TAX NUMBER: _____