

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

DEPARTMENT: General Services Department

AGENDA DATE: November 20, 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 Sierra Machinery of El Paso Texas for the purchase of repair parts and labor for Volvo Construction Machinery and Gradall Equipment. Estimated annual expenditures are \$70000 for Volvo and \$30000 for Gradall.

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?

Sierra Machinery is the sole authorized vendor in the El Paso area for these two brands of equipment.

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?

45202-37370510-503121, General Services Department, Fleet Services Internal Service Fund

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

DEPARTMENT HEAD: Jeffrey A. Belles, October 10, 2007



(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:** _____



07 OCT -3 PM 3:17

RECEIVED
PURCHASING DEPARTMENT

**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 at 406 McIl Ave. SW Philadelphia OH 44603 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 Garner. 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: Gradall Industries, Inc

3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):

Gradall Telescopic Hydraulic Excavator whole goods +
Service Parts

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. - See Attached Letter.

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.**

Jason Garner
Signature

SUBSCRIBED AND SWORN to before me on this 3rd day of October, 2007.

Jaime S. Sentz
Notary Public, State of Ohio
My Commission Expires August 6, 2011

Jaime S. Sentz
NOTARY PUBLIC
Jaime S. Sentz
PRINTED NAME
August 6, 2011
MY COMMISSION EXPIRES

COMPANY NAME: _____
ADDRESS, CITY, STATE & ZIP CODE _____
PHONE: _____ FAX NUMBER: _____
CONTACT NAME AND TITLE: _____
WEB ADDRESS: _____ EMAIL: _____
FEDERAL TAX ID NUMBER: _____ TEXAS SALES TAX NUMBER: _____

GRADALL®

GRADALL INDUSTRIES, INC.

11/5/07
City of El Paso
Purchasing 7th FL
Attn: Michael Lau
2 Civic Center Plaza
El Paso, TX 79901

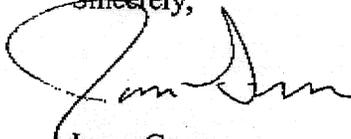
Attn: Purchasing Section of the City of El Paso

To Whom it may Concern:

We currently have single source awards from PennDOT for XL3100s and XL 4100s. The surrounding state of New York, Maryland, Delaware, New Jersey and Ohio have had bids in 2006 that were awarded to Gradall.

Sierra Machinery is the only authorized Gradall Dealer in the El Paso area that can sell Gradall Hydraulic Excavators and service parts. Sierra Machinery has exclusive territory in the El Paso area and is the only authorized dealer in that area that can file warranty claims on behalf of an end user.

Sincerely,



Jason Garner
VP Adm Services
Gradall Industries, Inc.

RECEIVED
PURCHASING DEPARTMENT

07 NOV -6 AM 10:26



**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 Maria F. Teran, 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 Maria F. Teran. 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: Sierra Machinery, Inc.
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):
Volvo/Ingersoll Rand
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]
Signature

SUBSCRIBED AND SWORN to before me on this 25th day of September, 2007



Martha Y. Diaz
NOTARY PUBLIC
Martha Y. Diaz
PRINTED NAME
04-21-2009
MY COMMISSION EXPIRES

COMPANY NAME: Sierra Machinery, Inc.

ADDRESS, CITY, STATE & ZIP CODE 939 Hawkins Blvd., El Paso, TX 79915

PHONE: 915/772-0613 FAX NUMBER: 915/779-6086

CONTACT NAME AND TITLE: Maria F. Teran, President

WEB ADDRESS: www.sierraelpaso.com EMAIL: magia@sierraelpaso.com

FEDERAL TAXID NUMBER: 74-2160500 TEXAS SALES TAX NUMBER: 01-74-2160500-1

VOLVO CONSTRUCTION EQUIPMENT



October 18, 2007
(828) 650-2332

Mr. Gus Koenemann
Sierra Machinery, Inc.
939 Hawkins Blvd.
El Paso, TX 79915

RE: Volvo Construction Equipment North America, Inc. ("Volvo CE")
Volvo Road Machinery Inc. ("Volvo Road")

Dear Mr. Koenemann:

Please be advised that Sierra Machinery, Inc. ("Sierra") now has the exclusive territory for full-line Volvo CE products in the following Counties of (i) New Mexico: Chaves, Dona Ana, Eddy, Grand, Hidalgo, Lincoln, Luna, Otero, Sierra and; (ii) Texas: Brewster, Culbertson, El Paso, Hudspeth, Jeff Davis, Pecos, Presidio, Reeves, and Terrell.

Sierra is the authorized Volvo Road dealer for Forklifts, Straight-Mast and Variable Reach, Compactors-Asphalt over and under 7 Ton, Soil Compactors over and under 7 Ton, Trench Compactors, Hot Tacks, Pavers-Small and Large, Road Wideners and Material Transfer Vehicles in the following Counties of Texas: Culbertson, El Paso, Hudspeth and Jeff Davis and the following counties of New Mexico: Chaves, Dona Ana, Eddy Grant, Hidalgo, Lea, Lincoln, Luna, Otero and Sierra.

Thus, currently Sierra Machinery is the sole source of genuine Volvo CE parts and service for construction equipment in the above areas as well as parts and service for the above Volvo Road products. Parts and services ordered from Sierra Machinery will provide warranty of the products.

Please feel free to call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa C. Slocum".

Lisa C. Slocum
Paralegal