

RESOLUTION NO. 2015-95

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING PURCHASE OF TWO (2) FULLY EQUIPPED 2015 BMW POLICE MOTORCYCLES FROM SAN JOSE BMW OF SAN JOSE, CALIFORNIA, WITHOUT COMPETITIVE BIDDING, FINDING THAT COMPETITIVE BIDDING WOULD BE UNAVAILABLE, WOULD NOT PRODUCE AN ADVANTAGE AND WOULD NOT BE IN THE PUBLIC INTEREST, AUTHORIZING FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES AND AUTHORIZING CITY MANAGER TO EXECUTE PURCHASE ON BEHALF OF CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

WHEREAS, at the regular meeting of July 21, 2015, City Council adopted Resolution 2015-91 approving the FY 2015-16 budget, and;

WHEREAS, the City's Vehicle Maintenance Program recommends service life based on vehicle type and usage and recommends the retirement and disposition of such vehicles based on estimated life and/or retirement mileage, and;

WHEREAS, the FY 2015-16 budget does contains funding for the purchase of two (2) Fully Equipped 2015 BMW Police Motorcycles, and;

WHEREAS, Marina Municipal Code Chapter 3.16, Section 3.16.040, Bidding Required – Exceptions provides that bidding procedures shall be dispensed with when the City Council finds by resolution that competitive bidding would be unavailing, would not produce an advantage and would not be in the public interest, and;

WHEREAS, Pursuant to City of Marina Resolution No. 95-75, the City of Marina is authorized to use the State of California Cooperative Purchasing System to obtain equipment from the State of California Department of General Services (DGS), and;

WHEREAS, The BMW Police Motorcycle is not currently listed on State of California, Department of General Services (DGS) vehicles list even though it is a Police Package Vehicle, and;

WHEREAS, The Police Department solicited bids from various dealerships. Of those dealerships solicited, staff received the following offers:

SAN JOSE BMW	MOUNTAIN VIEW BMW	SAN FRANCISCO BMW	LONG BEACH BMW
\$ 27,067	\$ 27,380	\$ 28,195	\$ 28,174

The quotes listed do not include taxes and documentation fees.

WHEREAS, for the City to use the competitive bidding process would involve City staff time, and;

WHEREAS, it would also result in a delay of two (2) to three (3) months would result from City Council approval to call for bids, individual item bid document specification preparation, bid advertising, opening, City Council awarding of bids, and it is unlikely that significantly lower prices would result, and;

WHEREAS, funding is available within the FY 2015-16 budget General Fund, Police Department Budget, Capital Outlays-Vehicles Account No. 11.141.67112, and will not need to be appropriated.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Adopt Resolution No. 2015-, approving the purchase of two (2) fully equipped 2015 BMW Motorcycle from San Jose BWM of San Jose, California, and waiving the City's formal bid process; finding that competitive bidding would be unavailing, would not produce an advantage and would not be in the public interest;
2. Authorize the Finance Director to make necessary accounting and budgetary entries, and;
3. Authorize the City Manager to execute purchase agreements on behalf of the City subject to final review and approval by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 5<sup>th</sup> day of August 2015 by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Brown, Morton, O'Connell, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ATTEST:

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Bruce C. Delgado, Mayor

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Anita Sharp, Deputy City Clerk

July 31, 2015

Item No. **8f(5)**

Honorable Mayor and Members  
of the Marina City Council

City Council Meeting  
of August 5, 2015

**RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2015-, APPROVING PURCHASE OF TWO (2) FULLY EQUIPPED 2015 BMW POLICE MOTORCYCLES FROM SAN JOSE BMW OF SAN JOSE, CALIFORNIA, WITHOUT COMPETITIVE BIDDING, FINDING THAT COMPETITIVE BIDDING WOULD BE UNAVAILING, WOULD NOT PRODUCE AN ADVANTAGE AND WOULD NOT BE IN THE PUBLIC INTEREST, AUTHORIZING FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES AND AUTHORIZING CITY MANAGER TO EXECUTE PURCHASE ON BEHALF OF CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY**

**REQUEST:**

It is requested that the City Council:

1. Consider adopting Resolution No. 2015-, approving the purchase of two (2) fully equipped 2015 BMW Police Motorcycles from San Jose BMW of San Jose, California, waiving the City's formal bid process; finding that competitive bidding would be unavailing, would not produce an advantage and would not be in the public interest;
2. Authorize the Finance Director to make necessary accounting and budgetary entries, and;
3. Authorize the City Manager to execute purchase agreements on behalf of the City subject to final review and approval by the City Attorney.

**BACKGROUND:**

At the regular meeting of July 21, 2015, City Council adopted Resolution **2015-91** approving the FY 2015-16 budget.

The City's Vehicle Maintenance Program recommends service life based on vehicle type and usage and recommends the retirement and disposition of such vehicles based on estimated life and/or retirement mileage.

The City's 2013 update of the comprehensive citywide fleet maintenance and replacement program notes the need to retire and replace several police vehicles (Resolution No. 2013-127).

The Los Angeles Sheriff Office and the Michigan State Police conducted a comprehensive police motorcycle evaluation which included BMW, and Harley Davidson. On several tests which focused on safety (braking, acceleration, maneuverability, fuel consumption, etc.) the BMW surpassed its competitors.

After reviewing all the available motorcycles, staff felt the 2015 BMW 1200 RT-P was the best fit for the organization and the traffic bureau. A variety of factors were considered which helped staff come to this conclusion. The factors included *safety, performance, maintenance cost and esthetics*.

Staff believes the BMW motorcycle is the best option for the Marina Police Department. It is a proven and recognized police motorcycle, which is used worldwide. It is one of the most technologically advanced motorcycles made today. For instance, it will determine one's weight, and apply the correct amount of ABS braking to both, the front and rear wheels. It also offers **traction control** which can prevent a rider from falling in an emergency. BMW brakes are reliable and smooth. In comparison to the Harley Davison, its lighter weight allows for shorter stopping distances and greater maneuverability under emergency conditions. Staff had an opportunity to test drive the Honda Police Motorcycle and discarded it citing issues with its reliability (parts were falling off the bike as it was used, while other parts were coming unglued during performance tests). Staff did not consider the Kawasaki after learning that CHP canceled their contract with them due to various concerns.

The BMW acceleration and braking was smoother and more controlled. Staff also felt the BMW would be more reliable and mechanically sound, which along with the added fuel savings, would save a significant amount of money in the long run. In addition, the new 2015 BMW comes with a 3 year, 60,000 mile full power train warranty.

In the 2015 model, BMW incorporated a “wet” clutch which will drastically reduce the maintenance cost. Its repair, if necessary, will require very minimal down time therefore the equipment will be back in service at a much faster rate. The anticipated maintenance cost for the BMW motorcycle is approximately \$0.15/mile whereas the Harley Davidson maintenance cost is approximately \$ 0.40.

Unlike the Harley Davidsons, the BMW RT-P is not a civilian model motorcycle with police equipment bolted on. BMW designed and engineered the RT-P to be an “authority” motorcycle with specific innovations designed to eliminate problems that police officers have experienced in the field. The RT-P engine and electrical system are unique to the police version of this motorcycle. BMW solicited feedback from motor officers about problems with police motors, what the officers needed and wanted in a police motor, and what could be done to make them better. Then, BMW designed and engineered a motorcycle to meet these needs.

**ANALYSIS:**

On July 21, 2015 City Council passed Resolution **2015-91** approving the 2015-16 budget and appropriated funding to purchase two (2) fully equipped police motorcycles.

Marina Municipal Code Chapter 3.16, Section 3.16.040, Bidding Required – Exceptions, provides that bidding procedures shall be dispensed with when the City Council finds by resolution that competitive bidding would be unavailing, would not produce an advantage and would not be in the public interest.

Pursuant to City of Marina Resolution No. 95-75, the City of Marina is authorized to use the State of California Cooperative Purchasing System to obtain equipment from the State of California Department of General Services (DGS).

The BMW Police Motorcycle is not currently listed on State of California, Department of General Services (DGS) vehicles list even though it is a police vehicle package.

The Police Department solicited bids from various dealerships. Of those dealerships solicited, staff received the following offers:

SAN JOSE BMW	MOUNTAIN VIEW BMW	SAN FRANCISCO BMW	LONG BEACH BMW
\$ 27,067	\$ 27,380	\$ 28,195	\$ 28,174

The quotes listed do not include taxes and documentation fees.

Based on the aforementioned findings, for the City to initiate a competitive bidding process for purchase of the requested vehicles, it would require significant City staff time, and it is unlikely that significantly lower prices would be realized and it would result in a delay of two to three months from City Council approval to call for bids, individual item bid document specification preparation, bid advertising and opening, and City Council awarding of bids.

A fully equipped police motorcycle includes the purchase and installation of police radios, video camera system, computer, and emergency equipment.

**FISCAL IMPACT:**

Should the City Council approve this request, funding needs to be appropriated for;  
Two (2) fully equipped 2015 BMW Motorcycle full cost of \$ 80,000. Funding is available within the FY 2015-16 budget General Fund, Police Department Budget, Capital Outlays-Vehicles Account No. 11.141.67112.

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

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Roberto Filice  
Police Commander  
City of Marina

**REVIEWED/CONCUR:**

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Theresa Szymanis, AICP CTP  
Acting Community Development Director  
City of Marina

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Edmundo Rodriguez  
Chief of Police  
City of Marina

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Layne Long  
City Manager  
City of Marina