

**RESOLUTION NO. \_\_\_\_\_**

**Resolution Of The City Council Of The City Of Emeryville Rejecting All Bids For The Purchase And Delivery Of A 22-26 Passenger Wheelchair Accessible Bus And Authorizing The City Manager To Purchase One 19 Passenger Max Capacity Wheelchair Accessible Electric Vehicle (EV) Bus To Be Used For Emeryville Senior Center Group Trips Program, In A Total Amount Not To Exceed \$196,618.50 From Green Power Motor Company And Transfer \$61,187 From Fund 261 And \$3,432.00 From Fund 660-91200 To Fund 254 And Reappropriate \$132,000.00 Of The ACTC Grant Of Resolution No. 19-133 To Fund 254 When Received**

**WHEREAS**, on September 17, 2019, the City Council approved Resolution No. 19-133, authorizing the City Manager to enter into a grant agreement with Alameda CTC for the purchase of a new bus; and

**WHEREAS**, the grant agreement with Alameda CTC called for the bus to be delivered to the City by December 31, 2021; and

**WHEREAS**, on August 13, 2021, staff issued a request for bids (RFB) for the purchase of a new bus that resulted in a non-responsive bid due to the inability to deliver the product by the deadline; and

**WHEREAS**, another RFB was issued in late October with an extension for procurement delivery to December 2022 and one bid was received from Creative Bus Sales in response to the request for bids, which didn't specify a delivery date of the bus due to a chip shortage and therefore is non-responsive; and

**WHEREAS**, due to the previous failed procurement processes, the grant program allows for sole source procurement; and staff determined that an Electric Vehicle (EV) bus from Green Power Motor Company would allow the City to meet the needs of the grant agreement and Emeryville's green initiatives; and

**WHEREAS**, Green Power Motor Company can deliver a bus within 180 days of an executed Purchase Agreement, thereby meeting the requirements of the contract extension; now, therefore be it

**RESOLVED**, by the City Council of the City of Emeryville that it hereby rejects all bids for the purchase and delivery of a 22-26 passenger wheelchair accessible bus and authorizes the City Manager to purchase one 19 passenger max capacity wheelchair accessible Electric Vehicle (EV) bus to be used for Emeryville senior center group trips program, in a total amount not to exceed \$196,618.50 from Green Power Motor Company; and

**BE IT FURTHER RESOLVED**, that the City Manager is authorized to transfer \$61,187 from Fund 261 and \$3,432.00 from Fund 660-91200 to fund 254 and to reappropriate \$132,000.00 of the ACTC grant of Resolution No. 19-133 to fund 254 when received.

Reject Bids and Bus Purchase  
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**ADOPTED**, by the City Council of the City of Emeryville at a regular meeting held Tuesday, February 1, 2022, by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY CLERK

DocuSigned by:  
  
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\_\_\_\_\_  
CITY ATTORNEY