

RESOLUTION NO. 2114-07

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
AUTHORIZING THE TOWN MANAGER TO PURCHASE A 75' QUINT AERIAL LADDER
FIRE TRUCK ON BEHALF OF THE WINDSOR FIRE PROTECTION DISTRICT WITH
FIRE MITIGATION FUNDS AT A COST NOT TO EXCEED \$800,000.**

WHEREAS, on September 21, 2006, the Town Council of the Town of Windsor ("Town"), Windsor Redevelopment Agency ("Agency") and the Windsor Fire Protection District ("Fire District") executed a Memorandum of Understanding (MOU) providing terms on which the Town or Agency might participate in the construction of a new fire station on the west side of Town ("Fire Station No. 2") to address funding shortfalls of the Fire District; and

WHEREAS, Section 4 of the MOU calls for the Fire District to transfer to Town in trust the entire amount of its fire impact fees; and

WHEREAS, the Fire District has transferred its fire mitigation fees to the Town and the Town is holding the funds in trust in the Fire Mitigation Fund; and

WHEREAS, the Fire Mitigation Fund was established in the Fiscal Year (FY) 2007-08 budget and currently contains approximately \$1.18 million in fire impact fee revenue; and

WHEREAS, Section 9 of the MOU states that, "Town shall purchase a Quint Aerial Ladder Truck for use by the District"; and

WHEREAS, the FY 2007-08 budget identified a capital outlay of \$800,000 from the Fire Mitigation Fund for the purchase of a Quint Aerial Ladder Truck on behalf of the Fire District; and

WHEREAS, the proper nexus exists to purchase of a Quint Aerial Ladder Truck with fire impact fee revenue from the Fire Mitigation Fund; and

WHEREAS, the Fire District Board approved bids & specifications for a new 75' Quint Aerial Ladder Truck on June 19, 2007; and

WHEREAS, the District subsequently received price quotes for a Quint Aerial Ladder Truck based on a competitive bidding process utilized by the Fort Bragg Fire Protection Authority; and

WHEREAS, Section 1-6-115 (f) of the Windsor Town Code allows for purchases of products for which other public agencies have gone through a competitive bidding process and are able to have the bid prices they received extended to the Town; and

WHEREAS, According to the Windsor Town Code, "cooperative purchasing" or "piggy-back purchasing" satisfies the Towns competitive bidding requirements and therefore the Town does not need to solicit additional bids; and

WHEREAS, the Fort Bragg Fire Protection Authority received competitive bids from three truck manufacturers and determined that the lowest responsible bidder was Pierce Golden State Fire Apparatus, Inc.; and

WHEREAS, a committee of the Fire District inspected the Pierce-manufactured Quint Aerial Ladder Truck delivered to the Fort Bragg Fire Department and determined that it met their specifications; and

WHEREAS, Pierce Golden State Fire Apparatus, Inc. has provided a price quote in the amount of \$736,646.21 inclusive of factory inspections trips, delivery costs, and a performance bond base to assemble and deliver the Quint Aerial Ladder Truck for the Fire District; and

WHEREAS, the Town is proposing to pre-pay 75% of the total cost of the Quint Aerial Ladder Truck in order to receive a pre-payment discount of \$35,976.18; and

WHEREAS, with the pre-payment discount, the base cost of the Quint Aerial Ladder Truck is \$700,670.03 and with a sales tax rate of 7.75% the total purchase price is \$754,971.95; and

WHEREAS, it is prudent to establish a contingency to cover change orders and minor cost increases associated with minor equipment additions and deletions up to a total price of \$800,000.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor authorizes the Town Manager to purchase a Quint Aerial Ladder Fire Truck on behalf of the Windsor Fire Protection District with Fire Mitigation Funds at a cost not to exceed \$800,000.

BE IT FURTHER RESOLVED that the Town Council has determined that the District upon receipt of the Quint Aerial Ladder Fire Truck from Pierce Golden State Fire Apparatus, Inc. will be responsible for the operation and maintenance of the Fire Truck including covering said apparatus under the District's insurance policy.

BE IT FURTHER RESOLVED that the Town Council authorizes the Administrative Services Director to pay all proper claims for the purchase of the Quint Aerial Ladder Fire Truck on behalf of the Fire District.

PASSED, APPROVED AND ADOPTED this 15th day of August 2007 by the following vote:

**AYES: COUNCILMEMBERS ALLEN, FUDGE, GOBLE, SALMON
AND MAYOR PARKER**

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE


WARIN J. PARKER, MAYOR

ATTEST:


MARIA DE LA O, TOWN CLERK