



Council Business Meeting

May 16, 2023

Agenda Item	Class Special Procurement Method Approval for Vehicle and Equipment Repairs and Maintenance	
From	Michael Morrison	Operations Deputy Director
Contact	michael.morrison@ashland.or.us 541-552-2325	
Item Type	Requested by Council <input type="checkbox"/> Update <input type="checkbox"/> Request for Approval <input checked="" type="checkbox"/> Presentation <input type="checkbox"/>	

SUMMARY

Approval is being requested for a **Class-Special Procurement**.

This **Class-Special Procurement** (sourcing method) is being processed to seek an exemption from the competitive bid process and directly award public contracts to contractors to perform repairs, maintenance and service on City owned vehicles and equipment. The majority of vehicle and equipment repairs and maintenance are performed by the Fleet Maintenance Division. However, there are times when a vehicle or piece of equipment must be outsourced for repairs and maintenance. This is due to the specialized tools and diagnostic equipment required to diagnose and repair each individual vehicle and/or piece of equipment. Highly specialized tools and diagnostic equipment are very costly, proprietary, and require costly annual upgrades. The cost of maintaining these specialized tools and diagnostic equipment would be more costly to the City than outsourcing the needed repairs, maintenance and service. It is imperative that the City maintain City owned vehicles and equipment in a manner that ensures their continued use and safe operation. Public contracts will be awarded to contractors based on competency, expediency, workmanship, availability and competitive pricing.

POLICIES, PLANS & GOALS SUPPORTED

BACKGROUND AND ADDITIONAL INFORMATION

A Special Procurement (sourcing method) is used for the purpose of seeking an exemption from the competitive bid process, custom designing a contracting approach, or the direct selection or award of a public contract or for a series of contracts. The attached Form #9 Special Procurement Request for Approval (written findings) is attached for your review and consideration.

The Class Special Procurement previously approved by Council on June 7, 2016, is due to expire June 30, 2023.

FISCAL IMPACTS

Funds are budgeted each fiscal year for vehicle and equipment repairs and maintenance.

DISCUSSION QUESTIONS

SUGGESTED NEXT STEPS

Staff recommends the **Class-Special Procurement** be approved for the reasons provided in the





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attached written findings.

REFERENCES & ATTACHMENTS

1. Form #9 Special Procurement Request for Approval (Written Findings)

**SPECIAL PROCUREMENT
REQUEST FOR APPROVAL**

To: City Council, Local Contract Review Board
From: Wes Hoadley, Fleet Safety Supervisor
Date: May 16, 2023
Subject: REQUEST FOR APPROVAL OF A SPECIAL PROCUREMENT

In accordance with ORS279B.085, this request for approval of a Special Procurement is being presented to the City Council for approval. This written request for approval describes the proposed contracting procedure and the goods or services or the class of goods or services to be acquired through the special procurement and the circumstances that justify the use of a special procurement under the standards set forth ORS 279B.085(4).

- 1. **Requesting Department Name:** Public Works / Fleet Maintenance
- 2. **Department Contact Name:** Wes Hoadley
- 3. **Type of Request:** Class Special Procurement Contract-specific Special Procurement
- 4. **Time Period Requested:** From July 1, 2023 To: June 30, 2030
- 5. **Total Estimated Cost:** Cost will be determined by the actual repairs, maintenance and service that are required to be outsourced to maintain City vehicles and equipment.
- 6. **Short title of the Procurement:** Repairs, maintenance and service that are required to be outsourced to maintain City owned vehicles and equipment.

Supplies and/or Services or class of Supplies and/or Services to be acquired:

The majority of vehicle and equipment repairs and maintenance are performed by the Fleet Maintenance Division. However, there are times when a vehicle or piece of equipment must be outsourced for repairs and maintenance. This is due to the specialized tools and diagnostic equipment required to diagnose and repair each individual vehicle and/or piece of equipment. Highly specialized tools and diagnostic equipment are very costly, proprietary, and require costly annual upgrades. The cost to maintain these specialized tools and diagnostic equipment in the City shop would be more costly to the City than outsourcing the needed repairs, maintenance and service.

7. Background and Proposed Contracting Procedure: Provide a description of what has been done in the past and the proposed procedure. The Agency may, but is not required to, also include the following types of documents: Notice/Advertising, Solicitation(s), Bid/Proposal Forms(s), Contract Form(s), and any other documents or forms to be used in the proposed contracting procedure. Attach additional sheets as needed.

Background: Contracts are awarded to contractors based on competency, qualifications, certifications, workmanship, expediency, availability and competitive pricing.

Proposed procedure: Fleet Maintenance is seeking an exemption from the competitive bid process to DIRECTLY AWARD public contracts on an as needed basis to highly skilled and reliable contractors to perform repairs, maintenance and service on City owned vehicles and equipment.

8. **Justification for use of Special Procurement:** Describe the circumstances that justify the use of a Special Procurement. Attach relevant documentation.

On occasion, work to repair City owned vehicles and/or equipment must be outsourced. If so, trouble shooting may be required to determine what repairs and maintenance are required to repair a specific vehicle or piece of equipment. There are also critical pieces of equipment that require immediate attention if a problem develops, and the work must also be completed immediately.

9. **Findings to Satisfy the Required Standards:** This proposed special procurement:

X (a) will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts because:

The City currently contracts with various qualified, highly skilled and competent contractors to perform these services. There are also specific mechanics, service facilities, dealerships and/or manufacturers that are competent and certified to do specific work on specific vehicles and/or equipment. The City considers competency, qualifications, certifications, reliability, expediency, availability and competitive pricing when making the decision as to who will perform the required services on City owned vehicles and equipment. If the City is contacted by additional competent contractors, they too will be considered to perform these services.

(Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.); **and**

X (b)(i) will result in substantial cost savings to the contracting agency or to the public because:

It is mandatory that repairs and maintenance be performed on City owned vehicles and equipment by highly skilled, qualified and competent contractors for their continued use and safe operation.

(Please provide the total estimate cost savings to be gained and the rationale for determining the cost savings); **or**

X (b)(ii) will otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the requirements of ORS 279B.055, 279B.060, 279B.065, or 279B.070, or any rules adopted thereunder because:

It is in the City's best interest to contract with competent and reliable contractors that are reliable, dependable and qualified to provide these services. It is imperative that the City maintain City owned vehicles and equipment in a manner that ensures their continued use and safe operation.

(Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.)

Public Notice:

Pursuant to ORS 279B.085(5) and OAR 137-047-0285(2), a Contracting Agency shall give public notice of the Contract Review Authority's approval of a Special Procurement in the same manner as a public notice of competitive sealed Bids under ORS 279B.055(4) and OAR 137-047-0300. The public notice shall describe the Goods or Services or class of Goods or Services to be acquired through the Special Procurement and shall give such public notice of the approval of a Special Procurement at least seven (7) Days before Award of the Contract.

After the Special Procurement has been approved by the City Council, the following public notice will be posted on the City’s website to allow for the seven (7) day protest period.

Date Public Notice first appeared on www.ashland.or.us – [If approved, May 17, 2023]

PUBLIC NOTICE
Approval of a Special Procurement

First date of publication: [If approved, May 17, 2023]

A request for approval of a Special Procurement was presented to and approved by the City Council, acting as the Local Contract Review Board, on [If approved, May 16, 2023]

This “**Class Special Procurement**” (**sourcing method**) was processed to seek an exemption from the competitive bid process and directly award public contracts to contractors to perform **repairs, maintenance and service on City owned vehicles and equipment**. The majority of vehicle and equipment repairs and maintenance are performed by the Fleet Maintenance Division. However, there are times when a vehicle or piece of equipment must be outsourced for repairs and maintenance. This is due to the specialized tools and diagnostic equipment required to diagnose and repair each individual vehicle and/or piece of equipment. Highly specialized tools and diagnostic equipment are very costly, proprietary, and require costly annual upgrades. The cost of maintaining these specialized tools and diagnostic equipment would be more costly to the City than outsourcing the needed repairs, maintenance and service. It is imperative that the City maintain City owned vehicles and equipment in a manner that ensures their continued use and safe operation. Public contracts will be awarded to contractors based on competency, expediency, workmanship, availability and competitive pricing.

It has been determined based on written findings that the Special Procurement will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts, and result in substantial cost savings or substantially promote the public interest in a manner that could not be realized by complying with the requirements that are applicable in ORS 279B.055, 279B.060, 279B.065, or 279B.070.

An affected person may protest the request for approval of a Special Procurement in accordance with ORS 279B.400 and OAR 137-047-0300. A written protest shall be delivered to the following address: City of Ashland, Purchasing Representative, Kari Olson, 90 N. Mountain Avenue, Ashland, OR 97520. The seven (7) protest period will expire at 5:00pm on [If approved and published May 17, 2023, will expire May 24, 2023]

This public notice is being published on the City’s Internet World Wide Web site at least seven days prior to the award of a public contract resulting from this request for approval of a Special Procurement.