THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: August 22, 2023

Subject: Sole source resolution for Labrie truck parts

Staff Resource(s): Greg Shuler, Public Works Director
Jakob Klodt, Fleet Division Manager
Amy Patterson, Purchasing Manager

Action Requested: Adoption of a resolution supporting the sole source procurement of Labrie truck parts from Joe Johnson Equipment.

Background:

- The City owns and operates two Labrie automated side loading garbage trucks to provide trash collection by the Sanitation Division.
- Labrie parts are only available through authorized dealers, and Joe Johnson Equipment is the only OEM distributor authorized to sell new equipment and parts, and provide warranty and repair services for Labrie brand refuse trucks in our geographic area.
- Use of OEM (original equipment manufacturer) parts is recommended to maintain the equipment up to the manufacturer's standards.

Vendor Outreach Efforts:

- Labrie parts are only available through authorized dealers, and Joe Johnson Equipment is the only OEM distributor authorized to sell new equipment and parts, and provide warranty and repair services for Labrie brand refuse trucks in our geographic area.

Council Goal(s):

- A Well-Planned and Livable Community
- A Clean and Healthy Environment

Committee(s):

- None

Pro(s):

- This resolution will allow the Fleet Division to efficiently purchase the needed parts required to repair and maintain the City's two Labrie refuse trucks.

Con(s):

- None

Fiscal Impact:

- Staff estimates that $60,000 will be spent in the current fiscal year.
- Funding for these purchases is available in the Public Works Department operating budget.
- Purchases go through the Purchase Order process that the Purchasing Manager is delegated authority for and per policy/procedure and statute we should get competitive pricing and when we can't then sole source authorization must be approved by Council

Suggested Motion:

- Motion to adopt a resolution approving the sole source procurement of Labrie truck parts from Joe Johnson Equipment

Attachment(s):

- Resolution
- Labrie Vendor Letter

RESOLUTION NO. 23-____

RESOLUTION AUTHORIZING THE STANDARDIZATION PURCHASE OF LABRIE OEM PARTS FOR SANITATION VEHICLES FROM JOE JOHNSON EQUIPMENT, THE SOLE SUPPLIER OF LABRIE OEM PARTS IN THE CITY OF ASHEVILLE'S GEOGRAPHIC REGION

WHEREAS, the City of Asheville has authority pursuant to N.C.G.S. § 143-129 which details the procedures for the letting of public contracts; and

WHEREAS, N.C.G.S. §143-129(e) identifies exceptions to those procedures as they relate to procurement contracts; and

WHEREAS, item (6) of N.C.G.S. §143-129(e) states that the governing body of a political subdivision of the state shall approve the purchase of apparatus, supplies, material, or equipment without formal bidding when "(i) performance or price competition for a product are not available… and (iii) standardization or compatibility is the overriding consideration;" and

WHEREAS, Section 6.5(a) of the City of Asheville Contracting Policy states that formal bidding is not required where the City Council approves the purchase of apparatus, supplies, material or equipment where (i) Performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration; and

WHEREAS, the Public Works Department's Sanitation Division utilizes solid waste collection vehicles with Labrie devices used for lifting and depositing solid waste into the trucks; and

WHEREAS, Labrie has certified to the City that Joe Johnson Equipment is the only authorized vendor of Labrie replacement parts in the City of Asheville's geographic region, and the use of only original equipment manufacturer ("OEM") parts is necessary to ensure continued proper functionality of the Sanitation Division's existing trucks;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

City Council hereby authorizes the City of Asheville to purchase Labrie OEM parts from Joe Johnson Equipment , as permitted under N.C.G.S. § 143-129(e)(6) for equipment standardization for as long as the Public Works Department continues to use Labrie equipment on its Sanitation Division vehicles.

Read, approved and adopted this the 22nd day of August, 2023.

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City Clerk Mayor

Approved as to form:

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City Attorney