THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: December 13, 2022

Subject: Sole source resolution for New Way 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 New Way truck parts from Amick Equipment Co., Inc.

Background:

- The City owns and operates six New Way automated side loading garbage trucks to provide trash collection by the Sanitation Division.
- New Way parts are only available through authorized dealers, and Amick Equipment Co., Inc. is the only authorized dealer for sales, service, parts, and all related items for New Way products in North Carolina.
- Use of OEM (original equipment manufacturer) parts is recommended to maintain the equipment up to the manufacturer's standards.

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 six New Way trucks.

Con(s):

- None

Fiscal Impact:

- Staff estimate that $80,000 will be spent in the current fiscal year.
- Funding for these purchases is available in the Public Works Department operating budget.

Suggested Motion:

- Motion to adopt a resolution approving the sole source procurement of New Way truck parts from Amick Equipment Co., Inc.

Attachment(s):

- Resolution
- New Way Vendor Letter

RESOLUTION NO. 22-____

RESOLUTION AUTHORIZING THE STANDARDIZATION PURCHASE OF NEW WAY OEM PARTS FOR SANITATION VEHICLES FROM AMICK EQUIPMENT CO. INC., THE SOLE SUPPLIER OF NEW WAY OEM PARTS IN THE STATE OF NORTH CAROLINA

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 New Way devices used for lifting and depositing solid waste into the trucks; and

WHEREAS, New Way has certified to the City that Amick Equipment Co., Inc. is the only authorized vendor of New Way replacement parts in the State of North Carolina, 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 New Way OEM parts from Amick Equipment Co., Inc. , 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 New Way equipment on its Sanitation Division vehicles.

Read, approved and adopted this the 13th day of December, 2022.

City Clerk

Mayor

Approved as to form:

City Attorney