



Legislation Details (With Text)

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File created: 7/31/2023 **In control:** Board of Supervisors

On agenda: 10/10/2023 **Final action:** 10/10/2023

Title: Department of Transportation recommending the Board:
 1) Find in accordance with El Dorado County Board of Supervisors Purchasing Policy, C-17, 3.5 Specific Exemptions & Written Findings of Fact, heavy equipment rentals are exempt from competitive bidding;
 2) Authorize the Chair to sign Agreement 7967 with California Compaction Equipment Inc. for as-needed equipment rentals in the not-to-exceed amount of \$900,000 for a term beginning November 30, 2023 and expiring three (3) years thereafter;
 3) Authorize the Chair to sign Agreement 7988 with Holt of California for as-needed equipment rentals in the not-to-exceed amount of \$900,000 for a term beginning November 30, 2023 and expiring three years thereafter; and
 4) Authorize the Purchasing Agent to increase the on-call equipment rental agreements on an "as needed" basis during the term of the contract as long as funding is available within the requesting department's budget.

FUNDING: Transient Occupancy Tax - Local Discretionary (50%), Transient Occupancy Tax - Measure S (15%), County Service Area 3 (5%), Tribe Funds (5%), Road Fund (10%) and Road Maintenance and Rehabilitation Act of 2017 (15%)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - 7988 Counsel Approval, 2. B - 7967 Counsel Approval, 3. C - 7988 Agreement Holt, 4. D - 7967 Agreement California Compaction Equipment, 5. Executed 7967 Agreement California Compaction Equipment, 6. Executed 7988 Agreement Holt

Date	Ver.	Action By	Action	Result
10/10/2023	1	Board of Supervisors	Approved	Pass

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DISCUSSION / BACKGROUND

The Department of Transportation's Maintenance and Operations unit (Maintenance) rents equipment when it would be more cost-effective to rent than it would be to own the equipment, such as equipment that is only needed for short periods for specialized or emergency projects and snow removal operations. Additionally, Maintenance relies on rental equipment when department-owned equipment is out of service. Types of equipment rentals include, but are not limited to: water trucks, compactors, bulldozers, excavators, paving rollers, sandblasting equipment, and power tool equipment.

Noncompetitive Bid Requirement

Transportation recommends the Board make findings Agreement #7967 and Agreement #7988 are exempt from competitive bidding in accordance with El Dorado County Board of Supervisors Purchasing Policy, C-17, 3.5 Specific Exemptions & Written Findings of Fact, "heavy equipment rentals" are exempt from bidding requirements.

The County Contracting Out Ordinance, Section 3.13.020, "Purpose," provides that the Board may enter into contracts for the performance of work by independent contractors under certain criteria. Since these two agreements are for the rental of equipment and are considered Goods and Materials, the Contracting Out requirements do not apply.

ALTERNATIVES

The Board could choose not to approve the Agreements. Maintenance would be unable or have reduced capacity, to perform necessary road maintenance and snow removal operations in the Tahoe Basin.

PRIOR BOARD ACTION

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel and Risk Management

CAO RECOMMENDATION

Approve as recommended.

FINANCIAL IMPACT

There is no change to net County cost associated with these Agreements. Maintenance has included rental equipment charges in the FY 2023-24 Adopted Budget.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on two (2) originals of each Agreement.
- 2) The Clerk of the Board will forward one (1) original of each Agreement to the Contracts and Procurement Division for further processing.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

Rafael Martinez, Director
Department of Transportation