

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS PROVIDING FOR, AUTHORIZING, AND APPROVING THE EXPENDITURE OF FUNDS FOR ALTEC EQUIPMENT REPAIR SERVICES FOR THE CITY OF DENTON FLEET SERVICES DEPARTMENT, WHICH SERVICES ARE EXEMPT FROM COMPETITIVE BIDDING DUE TO THE RISK AND LIABILITY INVOLVED IN REPAIR AND MAINTENANCE OF AERIAL EQUIPMENT, MAKING THE SERVICES FOR UNITS REPAIRED BY ALTEC FACTORY TRAINED AND QUALIFIED FIELD SERVICE TECHNICIANS AVAILABLE FROM ONLY ONE SOURCE IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE 252.022; AND PROVIDING FOR AN EFFECTIVE DATE (FILE 6434 -AWARDED TO ALTEC INDUSTRIES, INC. IN THE THREE (3) YEAR NOT-TO-EXCEED AMOUNT OF \$200,000.)

WHEREAS, Section 252.022 of the Local Government Code provides that procurement of items that are only available from one source, including: items that are only available from one source because of patents, copyrights, secret processes, or natural monopolies; films, manuscripts or books; electricity, gas, water, and other utility purchases; captive replacement parts, or components for equipment; and library materials for a public library that are available only from the persons holding exclusive distribution rights to the materials; and need not be submitted to competitive bids; and

WHEREAS, the City Council wishes to procure one or more of the items mentioned in the above paragraph; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The following purchase of materials, equipment or supplies, as described in the "File" listed hereon, and on file in the office of the Purchasing Agent, and the license terms attached are hereby approved:

<u>FILE NUMBER</u>	<u>VENDOR</u>	<u>AMOUNT</u>
6434	Altec Industries, Inc.	\$200,000 (the "Proposal")

SECTION 2. The City Council hereby finds that this bid, and the award thereof, constitutes a procurement of items that are available from only one source, including: items that are only available from one source because of patents, copyrights, secret processes, or natural monopolies; films, manuscripts, or books; electricity, gas, water, and other utility purchases; captive replacement parts, or components for equipment; and library materials for a public library that are available only from the persons holding exclusive distribution rights to the materials; and need not be submitted to competitive bids.

SECTION 3. The acceptance and approval of the above items shall not constitute a contract between the City, and the person submitting the quotation for such items until such person shall comply with all requirements specified by the Purchasing Department.

SECTION 4. The City Manager is hereby authorized to execute any contracts relating to the items specified in Section 1, and the expenditure of funds pursuant to said contracts is hereby authorized.

SECTION 5. The City Council of the City of Denton, Texas hereby expressly delegates the authority to take any actions that may be required, or permitted to be performed by the City of Denton under File 6434 to the City Manager of the City of Denton, Texas, or his designee.

SECTION 6. This ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2017.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
AARON LEAL, INTERIM CITY ATTORNEY

BY: Jennifer W. Walters