City of Sacramento City Council - 5PM Report 915 I Street Sacramento, CA 95814

www.cityofsacramento.org

File ID: 2025-00283 1/21/2025 Consent Item 6.

Cooperative Purchase Agreement: Replacement Loaders

File ID: 2025-00283

Location: Citywide

Recommendation: Pass a **Motion**: 1) approving the use of the Sourcewell cooperative purchase agreement with John Deere Construction Retail Sales (Contract No. 011723-JDC) for the purchase of five replacement loaders and one replacement excavator not to exceed \$844,579; and 2) authorizing the City Manager or the City Manager's designee to take any necessary actions to complete the purchases specified above.

Contact: Stacey Chatman, Program Specialist, (916) 808-6711, schatman@cityofsacramento.org; Alison Kerstetter, Fleet Manager, (916) 808-1163, akerstetter@cityofsacramento.org; Department of Public Works

Presenter: None

Attachments:

1-Description/Analysis

2-Agreement

Description/Analysis

Issue Detail: The Department of Public Works, Fleet Management Division, has a customer requirement to purchase five replacement John Deere Loaders for the Department of Public Works. These include two for the Pavement Maintenance Section of the Maintenance Division to replace units 10594 and 10198, one for the Illegal Dumping Collection Section of the Recycling and Solid Waste Division (RSW) to replace unit 12131, and two for the Seasonal and Appointment Collection Section of RSW to replace units 12135 and 12133. The loaders will be used to assist with leveling and smoothing surfaces for pavement maintenance and picking up debris (both illegally dumped and scheduled service pickups as part of residential waste services).

Policy Considerations: The recommendations in this report are in accordance with City Code Chapter 3.56, which requires City Council approval of actions of \$250,000 or more and which provides for the use of cooperative purchase agreements without competitive bidding (Section 3.56.240).

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Economic Impacts: None.

Environmental Considerations:

California Environmental Quality Act (CEQA): No environmental review is necessary because the recommendations in this report involve the purchase of vehicles and are not considered to be a project in accordance with Section 15378(b)(2) of the CEQA guidelines.

Sustainability: The recommended purchases are consistent with the updated Fleet Sustainability Policy, adopted by City Council on December 12, 2017 (Resolution No. 2017-0478) and California Air Resource Board (CARB) regulations as there is no comparable zero emission model available for replacement.

Commission/Committee Action: None.

Rationale for Recommendation: After reviewing the available purchase options, the Fleet Management Division has determined that the Sourcewell cooperative purchase agreement with John Deere Construction Retail Sales represents the most advantageous purchasing strategy. The contract was competitively bid nationally, and Sourcewell receives greater discounts from the manufacturer due to a higher purchase volume than the City would receive if issuing its own bid.

In an ongoing effort to maximize cost savings and staff resources, many government agencies share contracting efforts through cooperative purchasing. This procurement method increases pricing competitiveness and lowers operating costs through volume buying. When comparing the administrative costs of procurement, staff considers product research, source selection, specifications, advertising, staff reports, awarding, protest, and administration of the contract.

The City has used both regional and national cooperative purchase agreements to complement its own contracting initiatives. Cooperative purchasing enables City departments to evaluate a broader range of contracting opportunities and to share resources with other jurisdictions. Cooperative purchasing also leverages internal and external resources to maximize cost savings opportunities for the City.

Financial Considerations: The recommended purchase, in a total amount not to exceed \$844,579, will be made from the Department of Public Works Fiscal Year (FY) 2024/25 operating budget (Fleet Fund, Fund 6501) and will be charged to the Department of Public Works, Pavement Maintenance (I06152125, Fund 2002), Illegal Dumping Collection (I06150025, Fund 1001), and Seasonal and Appointment Collection (I06147025, Fund 6007). Sufficient funding exists in the Department of Public Works FY2024/25 operating budget and the Department of Public Works Fleet Projects (I06152125, I06150025, and I06147025) to support the recommended purchases.

Local Business Enterprise (LBE): John Deere Construction Retail Services is not an LBE. The minimum LBE participation requirement is waived for the City's use of cooperative purchase agreements that have been competitively bid, evaluated, and awarded by other governmental agencies that may or may not have similar LBE programs.



CONTRACT ROUTING SHEET

Contract Cover/Routing Form: Must Accompany ALL Contracts; however, it is NOT part of the contract.

General Information (Required)	
Original Contract # (supplements only):	Supplement/Addendum #:
Assessor's Parcel Number(s):	
Contract Effective Date: 04/14/2023_	Contract Expiration Date (if applicable): 4/14/202
\$ Amount (Not to Exceed): \$ 844,579.00	Adjusted \$ Amount (+/-):
Other Party: Pape Machinery for John De	ere Construction Retail Sales
Project Title: Replacement Loaders	
Project #:	Bid/RFQ/RFP #: 011723-JDC
City Council Approval: YES	if YES, Council File ID#: 2025-00283
Contract Processing Contacts	
Department: Public Works	Project Manager: Stacey Chatman
Contract Coordinator: Stacey Chatman	Email: schatman@cityofsacramento.org
Department Review and Routing	
Accounting:	
(Signature)	(Date)
Supervisor:	
(Signature)	(Date)
Division Manager:(Signature)	 (Date)
Other:	(Bate)
(Signature)	(Date)
Special Instruction/Comments (i.e. re	cording requested, other agency signatures required, etc.)
Recording Request	
	<u> </u>
EOD CLEDY & IT DEDAR	TMENTS ONLY DO NOT WRITE BELOW THIS LINE

ADDITIONAL TERMS AND CONDITIONS COOPERATIVE PURCHASE AGREEMENT

WHEREAS, John Deere Construction Retail Sales a division of John Deere Shared Services, Inc. ("Vendor") and Sourcewell entered into <u>Sourcewell Contract # 011723-JDC</u> for the procurement of Heavy Construction Equipment with Related Accessories, Attachments and Supplies ("Sourcewell Contract");

WHEREAS, Pape Group Incorporated ("Pape" or "Dealer") is an approved dealer for Vendor, and has agreed to be bound by the terms and conditions of the Sourcewell Contract;

WHEREAS, Sourcewell Members may agree to "additional terms and conditions" through the Sourcewell Contract; and

WHEREAS, the City of Sacramento ("City") is a Sourcewell Member, and wishes to purchase equipment manufactured by Vendor pursuant to the terms of the Sourcewell Contract, with these Additional Terms.

NOW THEREFORE, Pape and the City agree as follows:

- Purchase of Equipment at Quoted Prices. The City agrees to purchase the Equipment set forth in the attached Price Information (Attachment 1 hereto) from Pape, pursuant to the terms and conditions of the Sourcewell Contract. The terms of the Sourcewell Contract shall apply to this purchase and shall control over any contrary terms included in the Revised Price Quotation.
- 2. Purchase via Purchase Order. Pape agrees that the Equipment identified in the Price Information shall be delivered to the City, as ordered via a subsequently issued Purchase Order, through the Sourcwell Contract expiration date.
- 3. Indemnity. Pape shall defend, hold harmless, and indemnify City, its officers, and employees, and each and every one of them, from and against all actions, damages, costs, liabilities, claims, demands, losses, judgments, penalties, and expenses of every type and description, whether arising from the purchase, delivery or use of the Equipment set forth in the attached Revised Price Quotation, including any fees and costs reasonably incurred by City's staff attorneys or outside attorneys and any fees and expenses incurred in enforcing this provision (hereafter collectively referred to as "Liabilities"), including Liabilities for personal injury or death, damage to personal, real, or intellectual property, damage to the environment, contractual or other economic damages, or regulatory penalties, arising out of or in any way connected with performance of or failure to perform by Pape, any subcontractor (including lower-tier subcontractors) or agent of Pape, their respective officers and employees, and anyone else for whose acts of omissions any of them may be liable, whether or not the Liabilities (i) are caused in part by a party indemnified hereunder, or (ii) are litigated, settled, or reduced to judgment; provided that the foregoing indemnity does not apply to liability for damages for death or bodily injury to persons, injury to property, or other loss, damage, or expense, to the extent arising from the active negligence or willful misconduct of, or defects in design furnished by, City, its agents, servants, or independent contractors who are directly responsible to City, except when such agents, servants, or independent contractors are under the supervision and control of Contractor or any subcontractor (including lower-tier subcontractors) or agent of Pape.
- 4. Insurance. Contractor shall, at its sole cost and expense, maintain the level of insurance coverage described in Sections G.6.21 G.6.26 of the Sourcewell Contract. City shall have all of the rights as Soucrewell has under the Sourcewell Agreement, including those specified in Sections G.6.21 G.6.26. Pape shall have the same obligations as Vendor under the Sourcewell Contract, including those specified in Sections G.6.21 G.6.26.
- 5. Authority. Pape warrants and represents that the person or persons executing this document on behalf of Pape has or have been duly authorized by Pape and Vendor to sign these Additional Terms and bind Pape to the terms hereof.
- 6. Venue and Jurisdiction. The relationship and agreement between the parties shal construed and enforced in accordance with the laws of the State of California, except that the rule of interpretation in California Civil Code section 1654 will not apply. Venue of any litigation will lie exclusively in the state trial court or Federal District Court located in Sacramento County in the State of California, and the parties consent to jurisdiction over their persons and over the subject matter of any such litigation in such courts, and consent to service of process issued by such courts.
- 7. Except as specifically modified herein, all terms and conditions of the Sourcewell Contract shall remain in full force and effect, and Contractor shall perform all of the services, duties, obligations, and conditions required under the Agreement, as supplemented and modified by these Additional Terms.

Anthony Bertoldi (Jan 8, 2025 20:01 PST)	
Contractor	
Approved By:	Attested To By:
City of Sacramento	City Clerk
Approval Recommended By:	Approved As To Form By:
	Paul A. Gale
Project Manager	City Attorney

Approved By:



Mr. Tony Snodgrass City of Sacramento 5730 24th Street #1 Sacramento, CA 95822 October 30, 2024 Revised November 9, 2024 Unit # 10198

Dear Tony,

Thank you for your recent inquiry requesting a price quotation on a new John Deere model 410-P backhoe/loader. I am pleased to offer the following revised Sourcewell price information on this model for your review and consideration.

17E0T	410 P-Tier Backhoe/Loader
4006	John Deere PowerTech Plus 4.5L Engine Meets Final Tier 4 Emissions.
183E	JDLink Machine Monitoring System
0259	English Decals with English Operator and Safety Manuals
3009	Mechanical Front Wheel Drive with Limited Slip Differential and 5F/3R Autoshift Transmission
1003	Enclosed Cab with Heat and Air Conditioning
6154	Dual Maintenance Free Batteries With Disconnect and Jump Post
6752	Extendible Dipperstick
7000	No Auxiliary Rear Hydraulics
7028	Pilot Controls, Two Lever, with Pattern Selection
7040	Three-Function Loader Hydraulics, Single Lever
6577	1,250 Lb. Front Counterweight
5250	Galaxy 21LL - 24 in. 12 PR Rear Tires & 12.5/80-18 10PR Front Tires
7861	1.31 Cu. Yd., 92 in. Wide Multipurpose Bucket
8109	Sun Visor
8115	MFWD Driveshaft Guard
8126	Heavy Duty Grille Frame
8142	LED Light Package
8165	Auto Ride Control
8207	Cloth Air-Suspension Seat

Total "Base Machine" List price:	\$ 248,628.31
Less 41% Sourcewell Discount per contract # 011723-JDC:	(\$ 101,937.61)
Sourcewell Base Machine Sales Price:	\$ 146,690.70
Plus Inbound Freight, Dealer PDI, Wain Roy Backhoe Bucket Couper, Wain Roy 36" Digging Bucket, Wain Roy 48" Ditching Bucket, Loader Fork Hooks, Rubber Grille Bumpers, Beacon, SMV Emblem, Manuals,	
Sky Hook, Rear Camera and Delivery:	<u>\$ 25,890.30</u>

Total Final Delivered Machine Sales Price: \$ 172,581.00 Plus 8.75% Sacramento Sales Tax: \$ 15100.84 Plus CA Tire Disposal Fee: 7.00 **Grand Total "Out-the-Door" Delivered Sales Price:** \$ 187,688.84

Options for additional consideration (add to final sales price, before tax):

AM/FM Radio:	\$ 851.00 + tax
Auxiliary Rear Hydraulics (one-way flow for hyd. hammer):	\$ 4,050.00 + tax
Auxiliary Rear Hydraulics (one-way flow for hammer and two-way flow for hyd. thumb and/or hyd. auger):	\$ 6,175.00 + tax

Above price includes delivery to 5730 24th St., Bldg # 1, Sacramento, CA, 95822.

Prices are current but subject to escalation and do not include any applicable taxes or fees. This price quotation is firm for 90 days. Approximate delivery time is 180 days, A.R.O. Our payment terms are net 30 days.

Tony, thank you for the opportunity to quote John Deere backhoe/loaders. Please do not hesitate to contact us should you have any questions or need any additional info.

Sincerely,

Anthony Bertoldi

Anthony Bertoldi – Governmental Territory Mgr. Pape Machinery 2850 El Centro Rd. Sacramento, CA 95833 (916) 891-8293



Mr. Tony Snodgrass City of Sacramento 5730 24th Street #1 Sacramento, CA 95822 October 30, 2024 Revised November 8, 2024 Unit # 10594

Dear Tony,

Thank you for your recent inquiry requesting a price quotation on a new John Deere model 410-P backhoe/loader. I am pleased to offer the following revised Sourcewell price information on this model for your review and consideration.

17E0T	410 P-Tier Backhoe/Loader
4006	John Deere PowerTech Plus 4.5L Engine Meets Final Tier 4 Emissions.
183E	JDLink Machine Monitoring System
0259	English Decals with English Operator and Safety Manuals
3009	Mechanical Front Wheel Drive with Limited Slip Differential and 5F/3R Autoshift Transmission
1003	Enclosed Cab with Heat and Air Conditioning
6154	Dual Maintenance Free Batteries With Disconnect and Jump Post
6752	Extendible Dipperstick
7000	No Auxiliary Rear Hydraulics
7028	Pilot Controls, Two Lever, with Pattern Selection
7040	Three-Function Loader Hydraulics, Single Lever
6577	1,250 Lb. Front Counterweight
5250	Galaxy 21LL - 24 in. 12 PR Rear Tires & 12.5/80-18 10PR Front Tires
7861	1.31 Cu. Yd., 92 in. Wide Multipurpose Bucket
8109	Sun Visor
8115	MFWD Driveshaft Guard
8126	Heavy Duty Grille Frame
8142	LED Light Package
8165	Auto Ride Control
8207	Cloth Air-Suspension Seat

Total "Base Machine" List price:	\$ 248,628.31
Less 41% Sourcewell Discount per contract # 011723-JDC:	(\$ 101,937.61)
Sourcewell Base Machine Sales Price:	\$ 146,690.70

Plus Inbound Freight, Dealer PDI, Wain Roy Backhoe Bucket Couper, Wain Roy 36" Digging Bucket, Wain Roy 48" Ditching Bucket, Loader Fork Hooks, Rubber Grille Bumpers, Beacon, SMV Emblem, Manuals, Sky Hook, Rear Camera and Delivery:

\$ 25,890.30

Total Final Delivered Machine Sales Price:

Plus 8.75% Sacramento Sales Tax:

\$ 172,581.00
\$ 15,100.84

Plus CA Tire Disposal Fee:

\$ 7.00

Grand Total "Out-the-Door" Delivered Sales Price:

\$ 187,688.84

Options for additional consideration (add to final sales price, before tax):

AM/FM Radio: \$ 851.00 + tax

Auxiliary Rear Hydraulics (one-way flow for hyd. hammer): \$ 4,050.00 + tax

Auxiliary Rear Hydraulics (one-way flow for hammer and two-way flow for

hyd. thumb and/or hyd. auger): \$ 6,175.00 + tax

Above price includes delivery to 5730 24th St., Bldg # 1, Sacramento, CA, 95822.

Prices are current but subject to escalation and do not include any applicable taxes or fees. This price quotation is firm for 90 days. Approximate delivery time is 180 days, A.R.O. Our payment terms are net 30 days.

Tony, thank you for the opportunity to quote John Deere backhoe/loaders. Please do not hesitate to contact us should you have any questions or need any additional info.

Sincerely,

Anthony Bertoldi

Anthony Bertoldi – Governmental Territory Mgr. Pape Machinery 2850 El Centro Rd. Sacramento, CA 95833 (916)891-8293



Less JDLink

244 P-Tier Compact Wheel Loader

Mr. Tony Snodgrass City of Sacramento 5730 24th Street #1 Sacramento, CA 95822 December 5, 2024 Unit # 12131

Dear Tony,

0160T 183B

Thank you for your recent inquiry requesting a price quotation on a new John Deere model 244P Loader. I am pleased to offer the following Sourcewell price information on this model for your review and consideration.

United States of America English Decals with English Operator and Safety Manuals Standard Z-Bar Linkage Level 1 Package - 3-Spool Less Vision System Hydrostat With Two Speed Synchronized Shift-On-Fly Transmission - High Speed YANMAR 4TNV98CT FT4/EU STAGE V 365/70R18 Mitas EM-01 (Will be removed and exchanged for 315/80R-22.5 Highway Tires Halogen Work Lights Hydraulic Coupler, Hook/Euro Style			
7500 7800	Less Fork Frame Less Bucket		
****	Custom 22.5" x 9" wheels with regular offset of -2.656 and critical of	fset of 2.750 (69.9)	
Total "Base Machine" List price: \$ 137,343.00 Less 26% Sourcewell Discount per contract # 011723-JDC: (\$ 35,709.18)			
Less 20% Sourcewell Discoult per contract # 011725-5DC.			
Sourcewell Base Machine Sales Price: \$101,633.82			
Plus, Inbound Freight, Dealer PDI, Radio, SMV Emblem, Cole Hersey			
Ignition switch, Ecco Beacon, Ecco back-up flashers, Training and Delivery		<u>\$ 13,736.18</u>	
Plus, Tink Model 520S-II Clae Bucket w/ Tungsten Carbide Upgrade:		<u>\$ 18,435.00</u>	
Plus, 315/80-22.5 Highway Tires/wheels in lieu of OEM Tires/Wheels: \$ 5,78			
Plus,	Custom Ride Control Accumulator Install:	\$ 4,225.00	
Total	Final Delivered Machine Sales Price:	\$ <u>143,810.00</u>	

Plus 8.75% Sacramento Sales Tax: \$ 12,583.38

Plus CA Tire Disposal Fee: \$ 7.00

Grand Total "Out-the-Door" Delivered Sales Price: \$ 156,400.38

Options for additional consideration (add to final sales price, before tax):

Above price includes delivery to 5730 24th St., Bldg # 1, Sacramento, CA, 95822.

Prices are current but subject to escalation and do not include any applicable taxes or fees. This price quotation is firm for 90 days. Approximate delivery time is 90 days, A.R.O. Our payment terms are net 30 days.

Tony, thank you for the opportunity to quote John Deere Loader. Please do not hesitate to contact us should you have any questions or need any additional info.

Sincerely,

Anthony Bertoldi

Anthony Bertoldi – Governmental Territory Mgr. Pape Machinery 2850 El Centro Rd. Sacramento, CA 95833 (916)891-8293



Less JDLink

244 P-Tier Compact Wheel Loader

Mr. Tony Snodgrass City of Sacramento 5730 24th Street #1 Sacramento, CA 95822 December 5, 2024 Unit # 12133

Dear Tony,

0160T 183B

Thank you for your recent inquiry requesting a price quotation on a new John Deere model 244P Loader. I am pleased to offer the following Sourcewell price information on this model for your review and consideration.

0202 0259 0451 0504 0950 3003 4062 5361	United States of America English Decals with English Operator and Safety Manuals Standard Z-Bar Linkage Level 1 Package - 3-Spool Less Vision System Hydrostat With Two Speed Synchronized Shift-On-Fly Transmission YANMAR 4TNV98CT FT4/EU STAGE V 365/70R18 Mitas EM-01 (Will be removed and exchanged for 315/80R-22	
6052 7409 7500 7800 ****	Halogen Work Lights Hydraulic Coupler, Hook/Euro Style Less Fork Frame Less Bucket Custom 22.5" x 9" wheels with regular offset of -2.656 and critical of	fset of 2.750 (69.9)
Total "Base Machine" List price: \$ 137,343.00		
Less 26% Sourcewell Discount per contract # 011723-JDC: (\$ 35,709.18)		
Sourcewell Base Machine Sales Price: \$101,633.82		
Plus, Inbound Freight, Dealer PDI, Radio, SMV Emblem, Cole Hersey Ignition switch, Ecco Beacon, Ecco back-up		
flashers, Training and Delivery \$		
Plus, Tink Model 520S-II Clae Bucket w/ Tungsten Carbide Upgrade:		<u>\$ 18,435.00</u>
Plus, 315/80-22.5 Highway Tires/wheels in lieu of OEM Tires/Wheels: \$ 5,780.00		
Plus,	Custom Ride Control Accumulator Install:	\$ 4,225.00
Total	Final Delivered Machine Sales Price:	\$ <u>143,810.00</u>

Plus 8.75% Sacramento Sales Tax: \$ 12,583.38

Plus CA Tire Disposal Fee: \$ 7.00

Grand Total "Out-the-Door" Delivered Sales Price: \$ 156,400.38

Options for additional consideration (add to final sales price, before tax):

Above price includes delivery to 5730 24th St., Bldg # 1, Sacramento, CA, 95822.

Prices are current but subject to escalation and do not include any applicable taxes or fees. This price quotation is firm for 90 days. Approximate delivery time is 90 days, A.R.O. Our payment terms are net 30 days.

Tony, thank you for the opportunity to quote John Deere Loader. Please do not hesitate to contact us should you have any questions or need any additional info.

Sincerely,

Anthony Bertoldi

Anthony Bertoldi – Governmental Territory Mgr. Pape Machinery 2850 El Centro Rd. Sacramento, CA 95833 (916)891-8293



Less JDLink

244 P-Tier Compact Wheel Loader

Mr. Tony Snodgrass City of Sacramento 5730 24th Street #1 Sacramento, CA 95822 December 5, 2024 Unit # 12135

Dear Tony,

0160T

183B

Thank you for your recent inquiry requesting a price quotation on a new John Deere model 244P Loader. I am pleased to offer the following Sourcewell price information on this model for your review and consideration.

0202	0202 United States of America		
0259	English Decals with English Operator and Safety Manuals		
0451	151 Standard Z-Bar Linkage		
0504	0504 Level 1 Package - 3-Spool		
0950	,		
3003	Hydrostat With Two Speed Synchronized Shift-On-Fly Transmission - H	ligh Speed	
4062			
5361	365/70R18 Mitas EM-01 (Will be removed and exchanged for 315/80R-22.5 H	ighway Tires	
6052	Halogen Work Lights		
7409 7500	Hydraulic Coupler, Hook/Euro Style Less Fork Frame		
7800 7800	Less Bucket		
****	Custom 22.5" x 9" wheels with regular offset of -2.656 and critical offset	of 2 750 (69 9)	
	5	()	
Total "Base Machine" List price: \$ 137,343.00			
Less 26% Sourcewell Discount per contract # 011723-JDC: (\$ 35,709.18)			
Sourcewell Base Machine Sales Price: \$101,633.82			
Plus, Inbound Freight, Dealer PDI, Radio, SMV Emblem, Cole Hersey			
Ignition switch, Ecco Beacon, Ecco back-up flashers, Training and Delivery \$ 13,736.18			
Plus, Tink Model 520S-II Clae Bucket w/ Tungsten Carbide Upgrade: \$ 18,435.		<u>\$ 18,435.00</u>	
Plus, 315/80-22.5 Highway Tires/wheels in lieu of OEM Tires/Wheels: \$ 5,780.00			
Plus, Custom Ride Control Accumulator Install: \$ 4,225.00			
Total Final Delivered Machine Sales Price: \$ 143,810.00			

Plus 8.75% Sacramento Sales Tax: \$ 12,583.38

Plus CA Tire Disposal Fee: \$ 7.00

Grand Total "Out-the-Door" Delivered Sales Price: \$ 156,400.38

Options for additional consideration (add to final sales price, before tax):

Above price includes delivery to 5730 24th St., Bldg # 1, Sacramento, CA, 95822.

Prices are current but subject to escalation and do not include any applicable taxes or fees. This price quotation is firm for 90 days. Approximate delivery time is 90 days, A.R.O. Our payment terms are net 30 days.

Tony, thank you for the opportunity to quote John Deere Loader. Please do not hesitate to contact us should you have any questions or need any additional info.

Sincerely,

Anthony Bertoldi

Anthony Bertoldi – Governmental Territory Mgr. Pape Machinery 2850 El Centro Rd. Sacramento, CA 95833 (916)891-8293