

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY  
OF FRESNO, CALIFORNIA, APPROVING AN  
EXCEPTION TO FORMAL BIDDING PROCEDURES  
AND AWARDING A SOLE SOURCE CONTRACT  
FOR THE EJ WARD FUEL MANAGEMENT SYSTEM  
UPGRADE

WHEREAS, The Fleet Division of the Department of Transportation wishes to purchase a fuel management system upgrade over the formal bid limit from a sole source without competitive bidding; and

WHEREAS, the Fleet Division purchased the City's current fuel management system by EJ Ward, Inc., in 1997, which now requires upgrading due to hardware failures of the existing system and lack of available updates to the system, as the supplier is phasing out product support due to technological improvements; and

WHEREAS, upgrading to a modern fuel management system, including fuel terminals at nine locations around the City, will allow the City to remain fully supported by the manufacturer and will create a seamless environment for tracking approximately 150,000 transactions totaling 2,700,000 gallons of fuel a year and improve functionality; and

WHEREAS, although several fuel management product suppliers offer systems the City could purchase, upgrading with EJ Ward's next-generation system is the only option integrating the City's existing fuel management system, saving the need to replace the current fuel management system; and

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Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

WHEREAS, EJ Ward is the only purveyor that can provide, install, and integrate fuel terminals with the existing fuel management system with guaranteed compatibility; and

WHEREAS, internal review by City staff determined EJ Ward meets all of the City and federal requirements for installing and integrating fuel terminals at all nine locations around the City of Fresno; and

WHEREAS, City Charter Section 1208 requires advertised competitive bidding for equipment involving the expenditure of City monies in excess of \$133,000, unless Council determines the goods to be supplied can only be provided by one source and the purchase is authorized by resolution of Council containing a declaration of the facts constituting the sole source; and

WHEREAS, the City Manager has approved the proposed sole source purchase of fuel management system from EJ Ward, Inc., and the Department of Transportation now seeks Council approval of such purchase.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The Council has received and considered the report and recommendations of City Staff.
2. Purchase and installation of fuel terminals are required to complete the project.
3. EJ Ward Corporation is the sole company able to provide

upgraded fuel management system hardware guaranteed to integrate successfully the existing City's fuel management system.

4. It is proper to dispense with the competitive bidding requirement and execute a contract with EJ Ward, Inc., to purchase and install the fuel management system upgrade.

The Director of Transportation or designee is hereby authorized to execute agreements with EJ Ward, Inc., as the sole provider of the fuel management system.

\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

YVONNE SPENCE, CMC  
City Clerk

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

By: \_\_\_\_\_  
Amanda B. Freeman Date  
Deputy

ABF:cm[75379cm/abf]