SULTAN CITY COUNCIL

AGENDA ITEM COVER SHEET

ITEM NO: C - 7

DATE: November 8, 2007

SUBJECT: Award of Bids-Resolution 07-25
Surplus of Public Works Equipment

CONTACT PERSON: Public Works Director Dunn

ISSUES:
Authorize Staff to award the bids received on the surplus equipment listed in Resolution 07-25 on October 18, 2007.

STAFF RECOMMENDATION:
The staff recommendation is to receive the highest qualified bid on the listed equipment in Attachment A, Resolution 07-25. Profit from the sale in the amount of Eight Thousand Two Hundred Twenty-Three Dollars and Sixty-Nine cents ($8,223.69) will be distributed to the CR 104 Equipment Fund for future purchase of Public Works Equipment as allowed in City Code.

Having received no bids on the 1987 Vactor Truck and the Stihl AE 95 Leaf Blower, staff would recommend returning to the Council later to set a lesser value.

BACKGROUND:
The Public Works Staff is asking the City Council to approve the bids received on the surplus equipment received November 1, 2007 at the closed bid auction. The equipment bidding was a "as is - where is" basis, the City is to receive payment and removal of equipment by the successful bidder no later that 3:00 pm Friday November 16, 2007.

According to Sultan Municipal Code, Chapter 3.60, Attachment B, the Public Works Department can list equipment that is no longer cost effective or useable and advertise the equipment for sale, with City Council awarding the bid to the highest qualified bidder(s). Criteria required in Sultan Municipal Code Chapter 3.60.030 was met by each bidder(s).

The bid was published twice in The Everett Herald, October 22 and 28, 2007 and on October 23, 2007 in the Monroe Monitor-Valley News, for Affidavit(s) of Publication see Attachment C.

SUMMARY:
After receipt of bids on the following equipment, Attachment D, Public Works would recommend the award of bid on the following equipment:

	Bid Amount
1981 Ford F-250 4 X 4	$951.00
1985 Backhoe Case 580D	$6,364.69
1987 Ford Vactor Truck	No Bids Received
1983 HM Utility Trailer, non-tilt top	$108.00
1970 Chipper	$550.00
Ride on 32" Compaction Roller	$250.00
Hand held Stihl AE 95 Leaf Blower	No Bids Received
Honda Push Mower	No Value-Recycling

The Honda Push Mower deck is rusted through in several places; the Public Works crew will dispose of the mower at the recycling bin at Snohomish County Drop Box.

The 1987 Ford Vactor Truck and the Stihl AE 95 Leaf Blower received no bids on November 1, 2007, 2 pm.

FISCAL IMPACT:
The profit from the sale of the equipment totaling $8,223.69 will be distributed into the 104 cumulative equipment reserve fund for future purchase of Public Works Equipment as allowed by City Code.

RECOMMENDED ACTION:
Authorize Public Works staff to award the bids for the equipment as listed below:
1981 Ford F-250 4X4 for $951.00 to Donna Marshall
1985 Case 580D Backhoe for $6,364.69 to Stephen Leimbach
1983 HM Utility Trailer, non tilt top for $106.00 to Ben Tolson
1970 Chipper for $550.00 to Marshall Carroll
Ride on 32" Compaction Roller for $250.00 to Marshall Carroll
Having received no bids on the 1987 Ford Vactor Truck and the Stihl AE 95 Leaf Blower at a future date the staff will return asking to bid these items at a lesser value.

COUNCIL ACTION:

DATE: October 18, 2007

ATTACHMENTS:
Attachment A: Resolution 07-25
Attachment B: Sultan Municipal Code 3.60
Attachment C: Affidavit(s) of Publication
Attachment D: Equipment and Bids Received

RESOLUTION NO. 07-25

A RESOLUTION PROVIDING FOR THE DISPOSAL OF CERTAIN INVENTORY ITEMS DEEMED TO BE SURPLUS TO THE REASONABLY FORESEEABLE NEEDS OF THE CITY OF SULTAN.

WHEREAS, certain items of equipment belonging to the City of Sultan are obsolete and no longer used by the City; and

WHEREAS, the value, obsolescence and condition of these items of inventory make it impractical to trade the same in on future purchases of new inventory items from the list of assets of the City and to obtain the maximum return for said inventory items, it should be the best interest of the City to dispose of the same in a manner that will not longer be to the best advantage to the City of Sultan.

NOW THEREFORE, it is resolved by the City Council of the City of Sultan, Washington as follows:

1. Based upon the findings and recommendations of the City, the items of inventory belonging to said City as shown in Exhibit "A" attached hereto, are declared to be surplus of the foreseeable needs of the City.
2. That it is deemed to be for the common benefit of the residents of said City to dispose of said inventory.
3. That the staff is authorized to dispose of items listed in Exhibit "A" in accordance with the provisions of SMC 3.60.030 to SMC 3.60.065 attached hereto, in a manner that will be to the best advantage to the City of Sultan.

PASSED by the City Council this 18th day of October, 2007

City of Sultan

_____

Benjamin Tolson, Mayor

ATTEST:

_____

Laura J. Koenig, city Clerk/Treasurer

Approved as to form:

_____

Thom Graafstra, City Attorney

C 7 Attachment A

Chapter 3.60

SALE AND DISPOSAL OF PERSONAL PROPERTY

Sections:

3.60.010 Sale of unneeded property owned by the city.
3.60.020 Sale of personal property of $300.00 in value or less to another governmental entity.
3.60.030 Sale of personal property over $300.00 in value.
3.60.040 Bid deposit for the sale of personal property over $300.00 in value.
3.60.050 Bid opening in the sale of personal property over $300.00 in value.
3.60.060 Award or rejection of bids in the sale of personal property over $300.00 in value.
3.60.065 When bids rejected or no bids received.

3.60.010 Sale of unneeded property owned by the city.

Whenever it appears to the city council that properties are no longer of public use to the city and the sale thereof would be in the best interests of the city, the city council may authorize the sale of property owned by the city upon receipt of an estimate value for each property from the department head, which shall be provided to the council within 10 working days of their determination. The clerk/treasurer shall provide in writing to the city council, at the council's next regular meeting after a sale, the purchase price, purchaser's name and address, and the date of sale. (Ord. 571, 1991; Ord. 454 § 1, 1984)

3.60.020 Sale of personal property of $300.00 in value or less to another governmental entity.

Approval of the council is given for the sale or disposition of any personal property:

A. With an estimated value of $300.00 or less; or

B. To another governmental entity to be used by the entity; when such property has been authorized for disposition by the city council; such sale or disposition to be made by the clerk/treasurer in accordance with informal procedures and in the best interest of the city. (Ord. 571, 1991; Ord. 454 § 1, 1984)

3.60.030 Sale of personal property over $300.00 in value.

The clerk/treasurer, upon receipt of written instruction from the city council to sell personal property owned by the city valued at more than $300.00, shall call for sealed bids and shall contain a description of the property to be sold, the location thereof, the name and address of the person with whom the bid is to be filed, the last date for filing bids, and other pertinent information. Such call shall be published at least once in a newspaper of general circulation in the city not less than five days before the last date for filing of bids. (Ord. 571, 1991; Ord. 454 § 1, 1984)

3.60.040 Bid deposit for the sale of personal property over $300.00 in value.

Each bid shall be accompanied by a deposit in the form of a certified check in an amount equal to not less than 20 percent of the amount of the bid. All such deposits so made shall be returned to the unsuccessful bidders depositing the same after award of contract has been made. The deposit of the successful bidder shall be applied upon the price, or upon failure of such bidder to consummate the purchase, such deposit shall be forfeited as liquidated damages and such deposit so forfeited shall be credited to the appropriate account. (Ord. 454 § 1, 1984)

3.60.050 Bid opening in the sale of personal property over $300.00 in value.

Sealed bids shall be opened in public by the city clerk/treasurer or an authorized agent at the time and place specified in the call for bids. The city clerk/treasurer shall make a tabulation of all bids received and forward the bids to the city council. (Ord. 454 § 1, 1984)

3.60.060 Award or rejection of bids in the sale of personal property over $300.00 in value.

The city clerk/treasurer shall present all bids, together with recommendations to the city council at a regularly scheduled meeting for approval or rejection by the council. (Ord. 454 § 1, 1984)

3.60.065 When bids rejected or no bids received.

In the event no bids are received or all bids received are rejected by the city council, then the council may either ask for new sealed bids or direct

AFFIDAVIT OF PUBLICATION

No. .....

CITY OF SULTAN
LEGAL ADVERTISEMENT
SALE OF
SURPLUS EQUIPMENT

The City of Sultan will be accepting sealed bids on the following listed equipment until 2:00 pm, Thursday, November 1, 2007 at Sultan City Hall; 319 Main St, Sultan WA 98294 and at that time will be publicly opened and read.

Equipment and Minimum Bid

1. 1981 Ford F-250 4 x 4 $500.00
2. 1985 Backhoe Case 580D $1,500.00
3. 1987 Ford Vactor Truck $6,000.00
4. 1983 HM Utility Trailer, non-tilt top $50.00
5. 1970 Chipper $500.00
6. Ride on 32" Compaction Roller $50.00
7. Hand held Stihl AE 95 Leaf Blower $15.00

The above equipment is available for public inspection on Wednesday, October 24, 2007 from 9:00 am to Noon and Tuesday, October 30, 2007 from 1:00 pm to 3:00 pm at the Public Works shop located at 703 1st Street, Sultan WA.

According to Sultan Municipal Code 3.60.040 "Bid deposit for the sale of personal property over $300.00 in value", each bid over $300.00 shall be accompanied by a deposit in the form of a certified check in an amount equal to not less than 20 percent of the amount of the bid. All such deposits so made shall be returned to the unsuccessful bidders depositing the same after award of contract has been made. The deposit of the successful bidder shall be applied upon the price or upon failure of such bidder to consummate the purchase, such deposit shall be forfeited as liquidated damages and such deposit so forfeited shall be credited to the appropriate account.

Payment (cash, check or money order) and removal of equipment is to be made by the successful bidder no later than 3:00 pm, Friday, November 16, 2007.

All equipment is sold "As Is/Where Is" with no warranties expressed or implied. The City of Sultan reserves the right to reject any and all bids.

By: Connie Dunn,
Public Works Director
Published: Oct. 23, 2007

STATE OF WASHINGTON,
County of Snohomish,

ss.

.....KEN ROBINSON....., being first duly sworn on oath deposes and says that he is the .....PUBLISHER..... of the MONROE MONITOR-VALLEY NEWS, a weekly newspaper. That said newspaper is a legal newspaper which has been approved by order of the Superior Court in Snohomish County in compliance with Chapter 213 of Washington Laws of 1941, and it is now and has been for more than six months prior to the date of the publication hereinafter referred to, published in the English language continually as a weekly newspaper in Monroe/Sultan, Snohomish County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a true copy of a Notice of Sale of Surplus Equipment / City of Sultan, Wash

as it was published in regular issues (and not in supplement form) of said newspaper once each week for a period of one ~~consecutive~~ week~~s~~, commencing on the 23rd day of October, 2007, and ending on the 23rd day of October, 2007, both dates inclusive, and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of $112.50 which amount has been paid in full.

Ken Robinson

Subscribed and sworn to before me this 25th day of October, 2007.

CHARIS L. FRASER
COMMISSION EXPIRES
NOTARY
PUBLIC
06-10-10
STATE OF WASHINGTON

Charis L. Fraser
Notary Public in and for the State of Washington
My Commission Expires 6-10-10

C 7 Attachment C

RECEIVED
OCT 30 2007
BY:

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH } **S.S.**

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

City of Sultan

Slae of Surplus Equipment

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

October 22, 2007, October 28, 2007

and that said newspaper was regularly distributed to its subscribers during all of said period.

Jody Scholl
Principal Clerk

Subscribed and sworn to before me this **29th**

day of **October, 2007**

Kitty Marie Atchison
Notary Public in and for the State of Washington, residing at Everett, Snohomish County.

KITTY MARIE ATCHISON
COMMISSION EXPIRES 2-10-2010
NOTARY PUBLIC
STATE OF WASHINGTON

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By: Connie Dunn, Public Works Director
Published: October 22, 28, 2007

Account Name: City of Sultan | Account Number: 104657 | Order Number: 0001546835

C 7 Attachment C

C2

SURPLUS EQUIPMENT
PUBLIC WORKS

ITEM NO.	ITEM/DESCRIPTION	BIDDER	AMOUNT	DATE PAID	TR NUMBER
1	Backhoe	***STEPHEN LEIMBACH**	**$6,364.69**		
		Larry Koehler	$5,051.00		
		Jerry Keller	$3,100.00		
		Bill & Gail Richer	$2,888.00		
2	Roller	***MARSHALL CARROLL**	**$250.00**		
3	Chipper	***MARSHALL CARROLL**	**$550.00**		
4	4 x 4 Ford Truck	***DONNA MARSHALL**	**$951.00**		
		John Ireland	$500.00		
5	Trailer - HM	***BEN TOLSON**	**$108.00**		
		John Ireland	$60.00		
6	Vactor	NO BIDS RECEIVED			
7	Leaf Blower	NO BIDS RECEIVED			

TOTAL AMOUNT RECEIVING FROM WINNING BIDS **$8,223.69**

***HIGHLIGHTED NAME AND AMOUNT IS THE WINNER**

C 7 Attachment D