



**MAY 4, 2011 CITY COUNCIL BRIEFING AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Briefing Agenda dated May 4, 2011. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



Mary K. Suhm
City Manager

4-28-11
Date



Edward Scott
City Controller

4/29/11
Date

RECEIVED

2011 APR 29 PM 4:09

CITY SECRETARY
DALLAS, TEXAS

REVISED



COUNCIL BRIEFING AGENDA

May 4, 2011

DATE

(FOR GENERAL INFORMATION AND RULES OF COURTESY PLEASE SEE OPPOSITE SIDE.)

(LA INFORMACIÓN GENERAL Y REGLAS DE CORTESÍA QUE DEBEN OBSERVARSE

DURANTE LAS ASAMBLEAS DEL CONSEJO MUNICIPAL APARECEN EN EL LADO OPUESTO, FAVOR DE LEERLAS.)

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 before 9:00 a.m. on the meeting date. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. **The Council agenda is available in alternative formats upon request.**

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Informacion General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaidía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner CityCable* Canal 16. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 9 de la mañana del día de la asamblea. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesia

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, MAY 4, 2011
CITY HALL
1500 MARILLA
DALLAS, TEXAS 75201
9:00 A.M.

9:00 am Invocation and Pledge of Allegiance 6ES

Special Presentations

Open Microphone Speakers

VOTING AGENDA 6ES

1. Approval of Minutes of the April 20, 2011 City Council Meeting
2. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

Briefings 6ES

- A. Proposed FY 2011-12 Consolidated Plan Budget Amendments and Straw Votes
- B. Economic Development: Status Report

Lunch

- C. Amendments to Chapter 15A of the Dallas City Code, "Campaign Contributions by Applicants in Designated Zoning Cases and Designated Public Subsidy Matters and by Bidders and Proposers on City Contracts"

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, MAY 4, 2011

ITEMS FOR INDIVIDUAL CONSIDERATION

City Attorney's Office

3. Authorize settlement with the United States and the State of Texas but not with individual plaintiff Douglas Moore nor co-defendant Southwest General Services of Dallas, L.L.C. ("SGS"), of the civil lawsuit styled United States ex rel. Douglas Moore et al., v. City of Dallas et al., Civil Action No. 3:09-CV-1452-O, by **(1)** paying the United States Government and the State of Texas as they direct an aggregate amount of \$2,470,000, either in a single payment that they will allocate or in separate payments, with relator's statutory costs and attorney's fees to be separately determined and funded; and **(2)** executing a "corporate integrity agreement" for a term of three years with the Inspector General's Office of the U.S. Department of Health and Human Services - Not to exceed \$2,470,000 - Financing: Current Funds

ITEMS FOR FURTHER CONSIDERATION

Business Development & Procurement Services

4. Authorize **(1)** a three-year master agreement for parts to repair and maintain City vehicles and equipment with Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas in the amount of \$1,832,500, Park Cities Ford Lincoln Mercury in the amount of \$976,000, AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas in the amount of \$628,000, North Central Ford in the amount of \$370,000, The Around the Clock Freightliner Group, LLC in the amount of \$270,000, Dallas Dodge Chrysler Jeep in the amount of \$235,000, Uni-Select, Inc. in the amount of \$186,866, Sonic-Lute Riley, LP dba Lute Riley Honda in the amount of \$175,000, Wheeled Coach Ambulance Sales & Service in the amount of \$131,000, Friendly Chevrolet in the amount of \$109,305, CLS Sewer Equipment Co., Inc. in the amount of \$10,000 and H. D. Industries, Inc. in the amount of \$2,500; and **(2)** a three-year service contract for repair of City vehicles and equipment with AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas in the amount of \$841,250, Dallas Dodge Chrysler Jeep in the amount of \$451,500, Grand Prairie Ford, LP in the amount of \$428,023, Sonic-Lute Riley, LP dba Lute Riley Honda in the amount of \$286,950, Four Brothers Outdoor Power in the amount of \$161,625, AG-Power, Inc. in the amount of \$111,545, Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas in the amount of \$57,544, CLS Sewer Equipment Co., Inc. in the amount of \$17,440, Landmark Equipment Co., Inc. in the amount of \$10,350, H. D. Industries, Inc. in the amount of \$5,600 and Metro Golf Cars in the amount of \$4,373, lowest responsible bidders of 22 - Total not to exceed \$7,302,371 - Financing: Current Funds (\$7,227,371) and Water Utilities Current Funds (\$75,000) (subject to annual appropriations)

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, MAY 4, 2011

- | | |
|---|-----|
| Closed Session | 6ES |
| Attorney Briefings (Sec. 551.071 T.O.M.A.) | |
| - Legal issues regarding implementation of Dallas Water Utilities capital projects and related personnel issues | |
| - Legal issues involving DFW General Counsel Position | |
|
 | |
| Open Microphone Speakers | 6ES |

The above schedule represents an estimate of the order for the indicated briefings and is subject to change at any time. Current agenda information may be obtained by calling (214) 670-3100 during working hours.

Note: An expression of preference or a preliminary vote may be taken by the Council on any of the briefing items.

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.

PUBLIC MEETINGS FOR MAY 1 - MAY 15, 2011

Tuesday, May 3, 2011

Civil Service Board

8:30 a.m.

City Hall, Suite 1C-South

AGENDA ITEM # 3

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: May 4, 2011

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Fire

CMO: Thomas P. Perkins, Jr., 670-3491
Ryan S. Evans, 670-3314

MAPSCO: N/A

SUBJECT

Authorize settlement with the United States and the State of Texas but not with individual plaintiff Douglas Moore nor co-defendant Southwest General Services of Dallas, L.L.C. ("SGS"), of the civil lawsuit styled United States ex rel. Douglas Moore et al., v. City of Dallas et al., Civil Action No. 3:09-CV-1452-O, by **(1)** paying the United States Government and the State of Texas as they direct an aggregate amount of \$2,470,000, either in a single payment that they will allocate or in separate payments, with relator's statutory costs and attorney's fees to be separately determined and funded; and **(2)** executing a "corporate integrity agreement" for a term of three years with the Inspector General's Office of the U.S. Department of Health and Human Services - Not to exceed \$2,470,000 - Financing: Current Funds

BACKGROUND

Douglas Moore, while a member of the City Auditor's staff, was conducting an audit of Dallas Fire-Rescue's emergency ambulance operations, including billing practices for Medicare and Medicaid reimbursement. He took the facts he discovered during the audit and filed suit against the City and Southwest General Services of Dallas, LLC ("SGS"), the ambulance services billing and collections vendor used by the City, on behalf of the United States and the State of Texas. The suit asserted claims under the federal False Claims Act and the Texas Medicaid False Claims Act. The suit alleged that the City had overbilled Medicare and Medicaid for ambulance services, mainly by seeking reimbursement at an elevated "advanced life support" level for services that allegedly should have been billed at a lower "basic life support" level, and that the City was liable to the two governmental entities for return of the overpayments, treble damages, civil penalties, attorney's fees, and costs. Moore later amended his lawsuit to add employment claims against the City.

BACKGROUND (continued)

Settlement of the claims of the United States and Texas is recommended because it is in the City's best interests to avoid prolonged and expensive litigation, and to avoid the possibility that the City might be held liable and assessed damages far exceeding the settlement amount. The City would not be admitting any wrongdoing as part of the proposed settlement. The proposed settlement releases all federal and state claims concerning ambulance billing against the City and its officers and employees. The proposed settlement would not resolve either the City's claims against SGS and one of its principals or Moore's individual-capacity employment claims against the City.

The proposed settlement requires the City to pay Moore's costs and attorney's fees related to his claims asserted under the False Claims Act. That amount has not yet been determined but will be in addition to the amount authorized with this item. The Council will thus be asked to consider authorizing that payment when an amount is determined, either by agreement or court order.

The corporate integrity agreement requires the City to retain a compliance officer and to contract for the services of an independent review officer, among other measures, for the next three years to ensure that the City complies with its obligations to submit proper claims for federally-funded health care programs, including Medicare-funded emergency ambulance services. The authority to pay for implementing this agreement will be sought in budgeting for the compliance officer position and the award of the independent review officer contract. Performance of this agreement will necessarily require the expenditure of additional funds, in amounts not now known (though estimated to be no more than \$250,000 per year for the next three years). The Council will be asked to consider such authorization when those amounts can be quantified.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Council was briefed in closed session concerning the proposed settlement on August 25, 2010, January 5, 2011, April 6, 2011, and April 27, 2011.

FISCAL INFORMATION

\$2,470,000 - Current Funds

May 4, 2011

WHEREAS, the City is a defendant in a civil lawsuit brought on behalf of the United States and the State of Texas styled United States ex rel. Douglas Moore et al., v. City of Dallas et al., Civil Action No. 3:09-CV-1452-O, which alleges violations of the federal False Claims Act and the Texas Medicaid False Claims Act, and which seeks unspecified actual damages, treble damages, civil penalties, and other relief from the City.

WHEREAS, the United States and the State of Texas, through their attorneys, have agreed to settle all their respective claims against the City in the lawsuit for the aggregate amount of \$2,470,000, plus Moore's statutory costs and attorney's fees related to his claims under the False Claims Act, and the City's execution of a Corporate Integrity Agreement for a term of three years with the Inspector General's Office of the U.S. Department of Health and Human Services; **Now, Therefore,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the settlement of the claims of the United States and the State of Texas in the Lawsuit, by paying the United States and the State of Texas, as they may direct, either separately or in a single payment, the aggregate sum of \$2,470,000, and Douglas Moore's statutory costs and attorneys fees in an amount to be determined and separately authorized, and executing a corporate integrity agreement with the Inspector General's Office of the U.S. Department of Health and Human Services, is hereby approved.

SECTION 2. That the City Controller is authorized to pay to the United States Government and/or the State of Texas, as they may direct, the amount of \$2,470,000 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor MVATT001.

SECTION 3. That the City Manager is authorized to enter into a Corporate Integrity Agreement with the Inspector General's Office of the U.S. Department of Health and Human Services, in a form approved by the City Attorney, and is directed to take all measures reasonably necessary to comply with that agreement, including retaining a compliance officer and requesting the Council to award a contract for the services of an independent review officer.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 4

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: May 4, 2011

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Equipment & Building Services
Fire
Park & Recreation
Public Works & Transportation
Sanitation Services
Street Services

CMO: Jeanne Chipperfield, 670-7804
Forest E. Turner, 670-3390
Ryan S. Evans, 670-3314
Paul D. Dyer, 670-4071
Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize **(1)** a three-year master agreement for parts to repair and maintain City vehicles and equipment with Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas in the amount of \$1,832,500, Park Cities Ford Lincoln Mercury in the amount of \$976,000, AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas in the amount of \$628,000, North Central Ford in the amount of \$370,000, The Around the Clock Freightliner Group, LLC in the amount of \$270,000, Dallas Dodge Chrysler Jeep in the amount of \$235,000, Uni-Select, Inc. in the amount of \$186,866, Sonic-Lute Riley, LP dba Lute Riley Honda in the amount of \$175,000, Wheeled Coach Ambulance Sales & Service in the amount of \$131,000, Friendly Chevrolet in the amount of \$109,305, CLS Sewer Equipment Co., Inc. in the amount of \$10,000 and H. D. Industries, Inc. in the amount of \$2,500; and **(2)** a three-year service contract for repair of City vehicles and equipment with AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas in the amount of \$841,250, Dallas Dodge Chrysler Jeep in the amount of \$451,500, Grand Prairie Ford, LP in the amount of \$428,023, Sonic-Lute Riley, LP dba Lute Riley Honda in the amount of \$286,950, Four Brothers Outdoor Power in the amount of \$161,625, AG-Power, Inc. in the amount of \$111,545, Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas in the amount of \$57,544, CLS Sewer Equipment Co., Inc. in the amount of \$17,440, Landmark Equipment Co., Inc. in the amount of \$10,350, H. D. Industries, Inc. in the amount of \$5,600 and Metro Golf Cars in the amount of \$4,373, lowest responsible bidders of 22 - Total not to exceed \$7,302,371 - Financing: Current Funds (\$7,227,371) and Water Utilities Current Funds (\$75,000) (subject to annual appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for goods or services, for a specific term, which are ordered on an as needed basis.

This master agreement will be used citywide to purchase original equipment manufacturer (OEM) parts. Equipment and Building Services operates and maintains over 5,200 pieces of equipment, including light and heavy-duty trucks, passenger cars and heavy equipment, at 6 service centers. Park and Recreation Department services over 3,000 pieces of equipment, ranging from fairway mowers to agricultural tractors, at their I. C. Harris Equipment Shop. Dallas Fire-Rescue Department services 437 pieces of equipment, including ambulances, fire trucks and rescue units, at their service center located on Dolphin Rd.

This service contract will be used to supplement the City's need for factory authorized service repairs to City vehicles and equipment necessary to keep the equipment in good, reliable condition.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 478 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

The Business Development and Procurement Services' ResourceLINK Team has submitted the sub-contractor's M/WBE application for an expeditious certification process for this contract. The additional project planned M/WBE participation for this contract will be 1.81%.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 27, 2011, this item was deferred by Councilmember Steve Salazar.

On January 23, 2008, City Council authorized a thirty-six-month master agreement for automotive parts and labor to be used for the maintenance and repair of the City's fleet by Resolution No. 08-0295.

On November 28, 2007, City Council authorized a thirty-six-month master agreement for Arvin Meritor brake, driveline, axle, clutch and suspension parts to be used for the maintenance and repair of the Dallas Fire-Rescue department fleet by Resolution No. 07-3485.

FISCAL INFORMATION

\$7,227,371.00 - Current Funds (subject to annual appropriations)

\$ 75,000.00 - Water Utilities Current Funds (subject to annual appropriations)

M/WBE INFORMATION

61 - Vendors contacted

61 - No response

0 - Response (Bid)

0 - Response (No Bid)

0 - Successful

478 M/WBE and Non-M/WBE vendors were contacted

The recommended awardees have fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas

White Male	20	White Female	3
Black Male	1	Black Female	0
Hispanic Male	4	Hispanic Female	0
Other Male	0	Other Female	0

AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas

White Male	41	White Female	3
Black Male	8	Black Female	3
Hispanic Male	13	Hispanic Female	4
Other Male	1	Other Female	0

Park Cities Ford Lincoln Mercury

White Male	57	White Female	8
Black Male	9	Black Female	0
Hispanic Male	48	Hispanic Female	5
Other Male	0	Other Female	0

Dallas Dodge Chrysler Jeep

White Male	66	White Female	17
Black Male	9	Black Female	1
Hispanic Male	32	Hispanic Female	5
Other Male	4	Other Female	0

ETHNIC COMPOSITION (Continued)

Sonic-Lute Riley, LP dba Lute Riley Honda

White Male	79	White Female	21
Black Male	18	Black Female	6
Hispanic Male	23	Hispanic Female	6
Other Male	29	Other Female	7

Grand Prairie Ford, LP

White Male	60	White Female	14
Black Male	9	Black Female	1
Hispanic Male	29	Hispanic Female	11
Other Male	4	Other Female	0

North Central Ford

White Male	66	White Female	19
Black Male	13	Black Female	4
Hispanic Male	20	Hispanic Female	4
Other Male	4	Other Female	0

The Around the Clock Freightliner Group, LLC

White Male	144	White Female	14
Black Male	14	Black Female	2
Hispanic Male	29	Hispanic Female	4
Other Male	3	Other Female	0

Uni-Select, Inc.

White Male	11	White Female	2
Black Male	0	Black Female	0
Hispanic Male	9	Hispanic Female	1
Other Male	0	Other Female	0

Four Brothers Outdoor Power

White Male	13	White Female	1
Black Male	0	Black Female	0
Hispanic Male	4	Hispanic Female	0
Other Male	0	Other Female	0

ETHNIC COMPOSITION (Continued)

Wheeled Coach Ambulance Sales & Service

White Male	155	White Female	34
Black Male	35	Black Female	8
Hispanic Male	153	Hispanic Female	23
Other Male	16	Other Female	2

AG-Power, Inc.

White Male	156	White Female	6
Black Male	0	Black Female	1
Hispanic Male	23	Hispanic Female	1
Other Male	0	Other Female	3

Friendly Chevrolet

White Male	73	White Female	15
Black Male	17	Black Female	3
Hispanic Male	36	Hispanic Female	7
Other Male	1	Other Female	1

CLS Sewer Equipment Co., Inc.

White Male	4	White Female	2
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

Landmark Equipment Co., Inc.

White Male	42	White Female	8
Black Male	4	Black Female	1
Hispanic Male	7	Hispanic Female	1
Other Male	0	Other Female	2

H. D. Industries, Inc.

White Male	15	White Female	2
Black Male	1	Black Female	0
Hispanic Male	3	Hispanic Female	0
Other Male	0	Other Female	0

ETHNIC COMPOSITION (Continued)

Metro Golf Cars

White Male	12	White Female	5
Black Male	1	Black Female	0
Hispanic Male	18	Hispanic Female	0
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BP1103 and opened on January 27, 2011. This item is being awarded to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

*Denotes successful bidders

<u>Bidders</u>	<u>Address</u>	<u>Amount of Bid</u>
*Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas	4200 Irving Blvd. Dallas, TX 75247	Multiple Groups
*AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas	4747 LBJ Frwy. Dallas, TX 75244	Multiple Groups
*Park Cities Ford Lincoln Mercury	3333 Inwood Rd. Dallas, TX 75235	Multiple Groups
*Dallas Dodge Chrysler Jeep	11550 LBJ Frwy. Dallas, TX 75568	Multiple Groups
*Sonic-Lute Riley, LP dba Lute Riley Honda	1331 N. Central Expwy. Richardson, TX 75080	Multiple Groups
*Grand Prairie Ford, LP	701 E. Palace Pkwy. Grand Prairie, TX 75050	Multiple Groups
*North Central Ford	1819 N. Central Expwy. Richardson, TX 75080	Multiple Groups
*The Around the Clock Freightliner Group, LLC	400 Port Blvd. Dallas, TX 75241	Multiple Groups
*Uni-Select, Inc.	2525 Logan St. Dallas, TX 75215	Multiple Groups

BID INFORMATION (Continued)

<u>Bidders</u>	<u>Address</u>	<u>Amount of Bid</u>
*Four Brothers Outdoor Power	2324 East I-30 Royce City, TX 75189	Multiple Groups
*Wheeled Coach Ambulance Sales & Service	2737 N. Forsyth Rd. Winter Park, FL 32792	Multiple Groups
*AG-Power, Inc.	3501 N. Central Expy. McKinney, TX 75071	Multiple Groups
*Friendly Chevrolet	2754 Stemmons Frwy. Dallas, TX 75207	Multiple Groups
*CLS Sewer Equipment Co., Inc.	726 S. Sherman St. Richardson, TX 75081	Multiple Groups
*Landmark Equipment Co., Inc.	1357 Loop 12 Irving, TX 75060	Multiple Groups
*H. D. Industries, Inc.	135 CR 3217 Jacksonville, TX 75766	Multiple Groups
*Metro Golf Cars	4063 South Frwy. Ft. Worth, TX 76110	Multiple Groups
Professional Turf Products, LP	1010 N. Industrial Blvd. Irving, TX 76039	Multiple Groups
Rush Truck Centers of Texas DBA Rush Truck Center, Dallas	515 N. Loop 12 Irving, TX 75061	Multiple Groups
Town East Ford II, LP	18411 LBJ Frwy. Mesquite, TX 75150	Multiple Groups
Austin Turf & Tractor	2098 Valley View Ln. Farmers Branch, TX 75234	Multiple Groups
Southwest International Trucks	3722 Irving Blvd. Dallas, TX 75247	Non-Responsive**

**Southwest International Trucks was non-responsive due to errors on the bid sheet.

OWNERS

Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas

W. M. "Rusty" Rush, President
Martin A. Naegelin, Jr., Vice President

AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas

Micheal E. Marone, President
Micheal J. Short, Vice President

Park Cities Ford Lincoln Mercury

Randall Reed, Chief Executive Officer
Jeff Enright, General Manager

Dallas Dodge Chrysler Jeep

Chris Sanchez, President
John Lukehart, Vice President

Sonic-Lute Riley, LP dba Lute Riley Honda

B. Scott Smith, President
David B. Smith, Vice President

Grand Prairie Ford, LP

Keith S. Sheldon, President

North Central Ford

Scott Smith, President
David Smith, Senior Vice President

The Around the Clock Freightliner Group, LLC

John Miciotto, President
Kirk Hagan, Vice President

Uni-Select, Inc.

Richard Roy, President
Rick Buzzard, Vice President

OWNERS (Continued)

Four Brothers Outdoor Power

Rex Kelly, President
Russell Kelly, Vice President

Wheeled Coach Ambulance Sales & Service

Robert L. Collins, President
Scott L. Barnes, Vice President

AG-Power, Inc.

Jack Radke, President

Friendly Chevrolet

Mark Eddins, President

CLS Sewer Equipment Co., Inc.

Jerry P. Sonnier, President

Landmark Equipment Co., Inc.

Mike Lyle, President
Gary Lyle, Vice President

H. D. Industries, Inc.

Harold W. Dillingham, President

Metro Golf Cars

Beverly Werner, President
Nelson King, Vice President
Ben King, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** a three-year master agreement for parts to repair and maintain City vehicles and equipment with Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas in the amount of \$1,832,500, Park Cities Ford Lincoln Mercury in the amount of \$976,000, AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas in the amount of \$628,000, North Central Ford in the amount of \$370,000, The Around the Clock Freightliner Group, LLC in the amount of \$270,000, Dallas Dodge Chrysler Jeep in the amount of \$235,000, Uni-Select, Inc. in the amount of \$186,866, Sonic-Lute Riley, LP dba Lute Riley Honda in the amount of \$175,000, Wheeled Coach Ambulance Sales & Service in the amount of \$131,000, Friendly Chevrolet in the amount of \$109,305, CLS Sewer Equipment Co., Inc. in the amount of \$10,000 and H. D. Industries, Inc. in the amount of \$2,500; and **(2)** a three-year service contract for repair of City vehicles and equipment with AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas in the amount of \$841,250, Dallas Dodge Chrysler Jeep in the amount of \$451,500, Grand Prairie Ford, LP in the amount of \$428,023, Sonic-Lute Riley, LP dba Lute Riley Honda in the amount of \$286,950, Four Brothers Outdoor Power in the amount of \$161,625, AG-Power, Inc. in the amount of \$111,545, Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas in the amount of \$57,544, CLS Sewer Equipment Co., Inc. in the amount of \$17,440, Landmark Equipment Co., Inc. in the amount of \$10,350, H. D. Industries, Inc. in the amount of \$5,600 and Metro Golf Cars in the amount of \$4,373, lowest responsible bidders of 22 - Total not to exceed \$7,302,371 - Financing: Current Funds (\$7,227,371) and Water Utilities Current Funds (\$75,000) (subject to annual appropriations)

Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas, AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas, Dallas Dodge Chrysler Jeep, Grand Prairie Ford, LP, North Central Ford, Sonic-Lute Riley, LP dba Lute Riley Honda, The Around the Clock Freightliner Group, LLC, Friendly Chevrolet, Uni-Select, Inc., CLS Sewer Equipment Co., Inc. and Landmark Equipment Co., Inc. are local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces. Park Cities Ford Lincoln Mercury is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use the following sub-contractor. Four Brothers Outdoor Power, Wheeled Coach Ambulance Sales & Service, AG-Power, Inc. and H. D. Industries, Inc. are non-local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces. Metro Golf Cars is a non-local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$6,885,728.00	94.29%
Total non-local contracts	\$416,643.00	5.71%
TOTAL CONTRACT	\$7,302,371.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Jaguar Courier Service, Inc.	BMMB48574N0312	\$115,789.00	1.68%
Total Minority - Local		\$115,789.00	1.68%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$115,789.00	1.68%	\$115,789.00	1.59%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$115,789.00	1.68%	\$115,789.00	1.59%

May 4, 2011

WHEREAS, on November 28, 2007, City Council authorized a thirty-six-month master agreement for Arvin Meritor brake, driveline, axle, clutch and suspension parts to be used for the maintenance and repair of the Dallas Fire-Rescue department fleet by Resolution No. 07-3485; and,

WHEREAS, on January 23, 2008, City Council authorized a thirty-six-month master agreement for automotive parts and labor to be used for the maintenance and repair of the City's fleet by Resolution No. 08-0295;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That a master agreement for the purchase of parts to repair and maintain City vehicles and equipment is authorized with Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas (VS0000061127) in the amount of \$1,832,500.00, AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas (520421) in the amount of \$628,000.00, Park Cities Ford Lincoln Mercury (331938) in the amount of \$976,000.00, Dallas Dodge Chrysler Jeep (519732) in the amount of \$235,000.00, Sonic-Lute Riley, LP dba Lute Riley Honda (371947) in the amount of \$175,000.00, North Central Ford (VS0000050654) in the amount of \$370,000.00, The Around the Clock Freightliner Group, LLC (399372) in the amount of \$270,000.00, Uni-Select, Inc. (VS0000062000) in the amount of \$186,866.00, Wheeled Coach Ambulance Sales & Service (064415) in the amount of \$131,000.00, Friendly Chevrolet (004813) in the amount of \$109,305.00, CLS Sewer Equipment Co., Inc. (VS0000018694) in the amount of \$10,000.00, H. D. Industries, Inc. (263044) in the amount of \$2,500.00, for a term of three years in a total amount not to exceed \$4,926,171.00.

Section 2. That the City Manager is authorized to execute a service contract with Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas (VS0000061127) in the amount of \$57,544.00, AN Motor of Dallas, Inc., dba Bankston Chevrolet of Dallas (520421) in the amount of \$841,250.00, Dallas Dodge Chrysler Jeep (519732) in the amount of \$451,500.00, Sonic-Lute Riley, LP dba Lute Riley Honda (371947) in the amount of \$286,950.00, Grand Prairie Ford, LP (345137) in the amount of \$428,023.00, Four Brothers Outdoor Power (256331) in the amount of \$161,625.00, AG-Power, Inc. (VS0000028230) in the amount of \$111,545.00, CLS Sewer Equipment Co., Inc. (VS0000018694) in the amount of \$17,440.00, Landmark Equipment Co., Inc. (502100) in the amount of \$10,350.00, H. D. Industries, Inc. (263044) in the amount of \$5,600.00 and Metro Golf Cars (144807) in the amount of \$4,373.00, for repair of City vehicles and equipment for a term of three years in a total amount not to exceed \$2,376,200.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas, AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas, Dallas

May 4, 2011

Section 2. (Continued)

Dodge Chrysler Jeep, Sonic-Lute Riley, LP dba Lute Riley Honda, Grand Prairie Ford, LP, Four Brothers Outdoor Power, AG-Power, Inc., CLS Sewer Equipment Co., Inc., Landmark Equipment Co., Inc., H. D. Industries, Inc. and Metro Golf Cars shall be based only on the amount of the services directed to be performed by the City and properly performed by Rush Truck Centers of Texas, LP dba Rush Medium Duty Truck Center, Dallas, AN Motor of Dallas, Inc. dba Bankston Chevrolet of Dallas, Dallas Dodge Chrysler Jeep, Sonic-Lute Riley, LP DBA Lute Riley Honda, Grand Prairie Ford, LP, Four Brothers Outdoor Power, AG-Power, Inc., CLS Sewer Equipment Co., Inc., Landmark Equipment Co., Inc., H. D. Industries, Inc. and Metro Golf Cars under the contract.

Section 3. That the City Controller is authorized to disburse funds in an amount not to exceed \$7,302,371.00 (subject to annual appropriations).

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so resolved.