

BILL NO. 24-139

AN ORDINANCE APPROVING A LEASE-PURCHASE FINANCING AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT AND CLAYTON HOLDINGS, LLC. FOR THE PURCHASE OF NEW AMBULANCES, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE SAME BY AND ON BEHALF OF THE CITY.

WHEREAS, the City of Lee's Summit (the "City") is a political subdivision of the State Missouri in which City is located and is duly organized and existing pursuant to the constitution and laws of the State of Missouri; and,

WHEREAS, the City's fire department has a need to replace ambulances to maintain a functioning fleet of vehicles; and,

WHEREAS, to ensure the best use of City funds, the City reviewed various options to finance the purchase of the fire trucks. The City determined a lease-purchase financing agreement was the best option; and,

WHEREAS, pursuant to applicable law, the City is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the City; and,

WHEREAS, the City, through the procurement and contract services division, issued RFP No. 2024-080 seeking proposals for lease-purchase financing agreement to purchase the fire trucks; and,

WHEREAS, RFP No. 2024-080 was advertised through the City's e-procurement system, Public Purchase, and sent to multiple firms; and,

WHEREAS, at the close of RFP No. 2024-080 seven (7) firms submitted proposals; and,

WHEREAS, an evaluation committee of City staff, including members from the fire and finance departments, reviewed and scored the proposals based on criteria included in RFP 2024-080. The committee recommends awarding RFP No. 2024-080 to Clayton Holdings, LLC; and,

WHEREAS, the City desires to enter into an agreement with Clayton Holdings, LLC. to finance the purchase of nine (9) ambulances; and,

WHEREAS, Section 4 of the Procurement Policy requires City Council approval if a City contract has or is anticipated to have an annual spend of \$75,000.00 or more.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. The City Council hereby approves the award of RFP No. 2024-080 to Clayton Holdings, LLC. The City Manager is authorized to sign the Quotation from Foster Coach Sales, Inc. dated April 22, 2024, in the total amount of \$3,732,631.00, attached as Exhibit A and incorporated herein by reference, as may be necessary to carryout the intent of this ordinance.

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SECTION 2. The City Council approves an agreement between the City and Clayton Holdings, LLC. ("Contract No. 2024-080"), attached as Exhibit B and incorporated herein by reference, to finance the purchase of ambulances for an amount of \$3,732,631.00, and authorizing the City Manager to execute the same, in substantially the same form as the attached, and any other documents necessary to carry out the intent of this ordinance, on behalf of the City.

SECTION 3. The City's obligations under Contract No. 2024-080 shall be subject to annual appropriation by the City Council as set forth in Contract No. 2024-080, and the City's obligations under Contract No. 2024-080 shall not constitute a general obligation of the City or indebtedness under the constitution or laws of Missouri.

SECTION 4. This Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

SECTION 5. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2024.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2024.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*