

RESOLUTION NUMBER R- 316898DATE OF FINAL PASSAGE JUL 20 2026

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE FIRST AMENDMENT TO THE COOPERATIVE PROCUREMENT CONTRACT WITH NIXON EGLI EQUIPMENT CO. FOR THE PURCHASE OF WIRTGEN AMERICA, INC. ROADWAY PAVING EQUIPMENT; AND AUTHORIZING RELATED FUNDING ACTIONS.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. The City of San Diego's Department of General Services, Fleet Operations Division (FOD) provides a fleet of approximately 5,100 vehicles and equipment for various City of San Diego (City) Departments. FOD provides comprehensive fleet management services to the City Departments, including the repair, maintenance, acquisition, replacement, and disposal of vehicles and equipment.

B. The City requires roadway paving equipment on an as-needed basis to support the City's street maintenance and related public works operations. The Contract provides access to specialized roadway paving equipment (i.e., Wirtgen America, Inc. roadway paving equipment) by way of Wirtgen America, Inc.'s authorized distributor, Nixon Egli Equipment Co.

C. Sourcewell (Agency) issued Request for Proposal (RFP) Number 060122 for Roadway Paving Equipment by posting the solicitation on Agency's website (Sourcewell Procurement Portal) at least ten days before the proposal was due. The Sourcewell Proposal Evaluation Committee recommended an award of Contract No. 060122 to Wirtgen America, Inc. Wirtgen America, Inc. received 821 points and ranked sixth overall among the proposers evaluated. On July 21, 2022, Agency approved the award recommendations. On August 10,

2022, Agency awarded and executed Contract No. 060122-WAI with Wirtgen America, Inc. (Agency Agreement). The contract term of the Agency Agreement extends through August 1, 2026, with up to an additional one-year extension period, making this Contract available to the City through August 1, 2027 provided that Agency exercises its one-year option within its Agency Agreement.

D. On November 6, 2024, the City's Purchasing Agent certified in writing that the Agency Agreement meets the requirements for cooperative procurement contracts set forth in San Diego Municipal Code (SDMC) section 22.3208 and Administrative Regulation 35.11. The Sourcewell RFP Number 060122-WAI Contract meets the following criteria: (1) is in the City's best interests; (2) is to the City's economic advantage; and (3) was competitively awarded using a process that complies with the policies, rules, and regulations developed by the City Manager.

E. When the City's Purchasing Agent certified in writing (on November 6, 2024) that the Agency Agreement met the requirements for cooperative procurement contracts set forth in SDMC section 22.3208 and Administrative Regulation 35.11, FOD represented that they would use the Contract to add at least two milling machines to the City's fleet. At that time, the City had two milling machines, both of which are the Wirtgen America, Inc. product. The City has standardized its fleet of paving equipment to achieve efficiencies in operation, training, and maintenance. Maintaining standardization of its paving equipment fleet is essential to City operations, training, and maintenance. This promotes continuity and efficiency in City operations. Even though Wirtgen America, Inc. ranked sixth overall and fifth in pricing during the proposal evaluation process, Wirtgen tied first place in the "ability to sell and deliver service" category. Ability to sell and deliver service is important to the City when selecting a vendor. Using a vendor that can deliver reliable service will save the City in time and resources.

F. On November 13, 2024, the City entered into and executed a Cooperative Procurement Contract with Nixon Egli Equipment Co. for the purchase of Wirtgen America, Inc. Roadway Paving Equipment in an amount not to exceed \$3,000,000. Nixon Egli Equipment Co. is an authorized distributor for Wirtgen America, Inc., a manufacturer. The Contract is effective through August 1, 2026, with up to an additional one-year option to renew, making this Contract available to the City through August 1, 2027. The additional one-year option period may be exercised at City's sole and absolute discretion provided that Agency exercises its one-year option within its Agency Agreement.

G. FOD requests to amend the Contract to increase the not to exceed amount by \$1,200,000, bringing the total not to exceed amount of the Contract to \$4,200,000; and otherwise modify the Contract under the terms and conditions contained in the First Amendment to the Contract. Additional contract authority is necessary to continue procuring roadway paving equipment. This will allow FOD to continue supporting City operations without interruption.

H. The Office of the City Attorney prepared this Resolution based on the information provided by City staff with the understanding that this information is complete and accurate.

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council approves the First Amendment to the Cooperative Procurement Contract between the City and Nixon Egli Equipment Co. for the purchase of Wirtgen America, Inc. Roadway Paving Equipment as-needed.

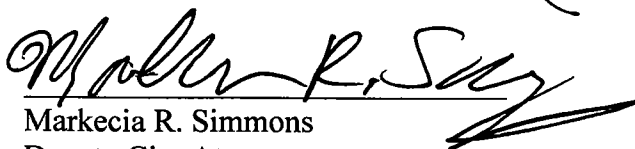
2. The Mayor or designee is authorized, on the City's behalf, to enter into and sign the First Amendment to the Cooperative Procurement Contract with Nixon Egli Equipment Co., to add additional funding in the amount of \$1,200,000, bringing the not to exceed amount of the

Contract to a total of \$4,200,000; and otherwise modify the Contract under the terms and conditions contained in the First Amendment to the Contract, for the purchase of Wirtgen America, Inc. Roadway Paving Equipment as-needed, for a term extending through August 1, 2027 which includes the one-year extension period, provided that Sourcewell exercises its one-year option period within its Agency Agreement; and related funding actions. When signed by both parties, the First Amendment to the Contract will be placed on file in the Office of the City Clerk as Document No. RR- 316898.

3. The Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$4,200,000 from Fleet Vehicle Replacement Fund 720011, over the term of the Contract which includes the one-year extension period through August 1, 2027, to purchase Wirtgen America, Inc. Roadway Paving Equipment as-needed, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year(s), and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: HEATHER FERBERT, City Attorney

By


Markecia R. Simmons
Deputy City Attorney

MRS:cw

May 21, 2026

Or.Dept: General Services, Fleet Operations Division

CC No.: 3000018684

Doc. No.: 4439223

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
JUL 14 2026.

DIANA J.S. FUENTES
City Clerk

By Kristell Medina
Deputy City Clerk

Approved: 7/17/26
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000018684
DEPT. NO.: 1317

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____

Purpose: _____

Date: _____

By: _____

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center or Cost Center	Internal Order or WBS Element	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE ☐

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$1,200,000.00

Vendor: Nixon Egli Equipment Co.

Purpose: To authorize the expenditure of funds in an amount not to exceed \$1,200,000.00 to Nixon Egli Equipment Co. under the Cooperative Procurement Contract for the purchase of Wirtgen America, Inc. roadway paving equipment, through August 1, 2027.

Date: 6/29/2026

By: Van Nguyen

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center	Internal Order or WBS Element	Original Amount
1	NON-PROGRAM	720011	NOT RELEVANT GRANT	560045	OTHR-00000000-GG	1317	1317131411		\$1,200,000.00
2									
3									
4									
5									
6									
7									
8									
9									
TOTAL AMOUNT									\$1,200,000.00

Passed by the Council of The City of San Diego on JUL 14 2026, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Stephen Whitburn	☒	☐	☐	☐
Henry L. Foster III	☒	☐	☐	☐
Marni von Wilpert	☒	☐	☐	☐
Kent Lee	☒	☐	☐	☐
Raul A. Campillo	☐	☐	☒	☐
Vivian Moreno	☒	☐	☐	☐
Sean Elo-Rivera	☒	☐	☐	☐

Date of final passage JUL 20 2026.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 316898