

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING SOLE SOURCE PURCHASE ORDER WITH TROJAN TECHNOLOGIES GROUP ULC, A CORPORATION, FOR THE PURCHASE OF PROPRIETARY SPARE PARTS FOR THE RECYCLED WATER FACILITY, IN AN AMOUNT NOT TO EXCEED \$150,492.52 (WHICH INCLUDES A 5% CONTINGENCY)

WHEREAS, competitive bidding requirements for the purchase of supplies, equipment and non-personal contractual services and the sale of personal property are set forth in Chapter 5 of Title 3 of the Municipal Code; and

WHEREAS, subdivision (c) of § 3-5.210 exempts supplies and materials which are unique, available only from one source, or sought to match existing equipment or supplies already in use (also known as a sole source purchase); and

WHEREAS, City staff is requesting a sole source purchase of proprietary spare parts from Trojan Technologies Group ULC;

WHEREAS, the equipment, supplies and nonprofessional services described are unique and available only from one source, and match existing equipment or supplies already in use at the City's Wastewater Treatment Facility.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. This action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(5), in that adopting a Resolution approving a sole source purchase agreement for the purchase of spare parts used for the Recycled Water Ultraviolet Disinfection System does not meet CEQA's definition of a "project," because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable

indirect physical change in the environment, and because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment and if a “project,” is exempt under the “common sense” exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment.

2. The Council finds that the purchase of the spare parts used for the Recycled Water Ultraviolet Disinfection System is available from one source that meets the needs of the City (also known as a sole source purchase).

3. This purchase is exempt from the purchasing procedures of Chapter 5 of Title 3 of the Municipal Code as a sole source purchase under subdivision (c) of § 3-5.210 of the Municipal Code.

4. That a sole source purchase order with Trojan Technologies Group ULC, a corporation, in the amount of \$143,326.21 is hereby approved.

5. A 5% contingency of \$7,166.3 is hereby authorized and may be utilized if necessary, for a total amount not to exceed \$150,492.52 for FY22-23.
