

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING SOLE SOURCE PURCHASE WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE (ESRI), INC., A CORPORATION, FOR THE PURCHASE OF GEOGRAPHIC INFORMATION SYSTEMS SOFTWARE, IN AN AMOUNT NOT TO EXCEED \$168,400; AND AUTHORIZING CITY MANAGER TO EXECUTE A SERVICES AND PURCHASING AGREEMENT (FUNDED FROM 285-7226 IT SOFTWARE FUND)

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 Equipment, supplies, or nonprofessional services that have been uniformly adopted or otherwise standardized in the City, 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, ESRI is the manufacturer of the software and has limited reselling partners of which are assigned to the city account.

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

1. Adopting a Resolution approving a sole source purchase agreement for Geographic Information Systems 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 Geographic Information Systems 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 (d) of § 3-5.210 of the Municipal Code.

4. That the Council hereby approves the Small Enterprise Agreement between the City of Watsonville and ESRI for the purchase of Geographic Information Systems in an amount not to exceed \$168,400.

5. That the City Manager is hereby authorized and directed to execute said Agreement for and on behalf of the City of Watsonville in the form attached hereto and incorporated herein by this reference, with minor revisions that may be approved by the City Manager and the City Attorney.
