

**RESOLUTION NO. \_\_\_\_\_ (CM)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING CONTRACT WITH KEMIRA WATER SOLUTIONS, INC., A CORPORATION, FOR THE PURCHASE OF FERRIC CHLORIDE USED IN WASTEWATER TREATMENT PROCESSES, IN THE AMOUNT NOT TO EXCEED \$275,000 FOR FY 2023-2024; AND DIRECTING THE CITY MANAGER TO EXECUTE SAME (FUNDED FROM THE WASTEWATER ENTERPRISE FUND)**

**WHEREAS**, bidding requirements for the purchase of supplies, equipment and non-personal contractual service and the sale of personal property are set forth in Chapter 5 (Purchasing Procedures) of Title 3 (Finance) of the Watsonville Municipal Code; and

**WHEREAS**, subdivision (f) of § 3-5.210 exempts purchases when the supplies are available from a vendor who has been selected as the lowest bidder within the prior twelve (12) months by another public entity using competitive bidding procedures substantially the same as the City; and

**WHEREAS**, the City of Watsonville is a member of the Bay Area Chemical Consortium (BACC); and

**WHEREAS**, the purpose of the consortium is to obtain the best possible price for chemicals through joint purchasing; and

**WHEREAS**, Kemira Water Solutions, Inc., was determined to be the lowest responsive bid by the BACC for the supply and delivery of Ferric Chloride; and

**WHEREAS**, the City Manager has recommended that the proposal from Kemira Water Solutions, Inc., in an amount not to exceed \$275,000, be accepted as the best response.

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

1. Adopting a Resolution approving a Contract for the purchase of ferric chloride 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.

2. This purchase is exempt from the purchasing procedures of Chapter 5 of Title 3 of the Municipal Code as a purchase available from a vendor who has been selected as the lowest bidder by another public entity using competitive bidding procedures substantially the same as the City for the acquisition of such supplies within the prior twelve months under subdivision (f) § 3-5.210 of the Municipal Code

3. That the purchase of Ferric Chloride from Kemira Water Solutions, Inc., a corporation, in an amount not to exceed \$275,000 for FY 2023-2024, is hereby authorized.

4. That the Contract for Consultant Services between the City of Watsonville and Kemira Water Solutions, Inc., for the purchase of Ferric Chloride used in wastewater treatment processes, commencing on July 1, 2023, and ending June 30, 2024, in an amount not to exceed \$275,000, a copy of which Contract is attached hereto and incorporated herein by this reference, is fair and equitable and is hereby ratified and approved.

5. The City Manager is hereby authorized and directed to execute said contract for and on behalf of the City of Watsonville with minor revisions that may be approved by the City Manager and the City Attorney.

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