

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING SOLE SOURCE VENDOR AND TWO-YEAR CONTRACT FOR CONSULTANT SERVICES WITH ENVIRONMENTAL INNOVATIONS, INC, FOR GREEN BUSINESS CERTIFICATION AND SERVICES PROGRAM IN WATSONVILLE, IN AN AMOUNT NOT TO EXCEED \$209,050; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE SAME

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, Environmental Innovations, Inc. is the only authorized provider of Green Business certification with the California Green Business Network; and

WHEREAS, the City of Watsonville provides resources for businesses and schools who want to pursue Green Business Certification; and

WHEREAS, the City supports local businesses to reach compliance with the City of Watsonville Foodware and other Environmental ordinances; and

WHEREAS, this free and voluntary assistance program is offered to businesses in the City who pursue resources and recognition for implementing environmentally sustainable practices; and

WHEREAS, outcomes achieved through this program directly supports the City's Climate Adaptation and Action Plan; Waste Reduction Municipal Codes and State Mandates; Stormwater Protection plans; and Water Conservation standards; and

WHEREAS, Environmental Innovations, Inc., provides green business certification in line with the goals set by the California Green Business Network; and

WHEREAS, Environmental Innovations, Inc., has provided services to the City for sixteen years to certify Watsonville Green Businesses and other related Environmental Services.

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 Green Business Services 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 services of Environmental Innovations, Inc. is available from one source that meets the needs of the City Watsonville Green Business Program (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 the Council hereby approves the Contract for Consultation Services between the City of Watsonville and Environmental Innovations, Inc. for the Green Business Certification & Services Program, in an amount not to exceed \$209,050.

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.
