

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING SOLE SOURCE PURCHASE WITH FUSION CONNECT, FOR A THREE YEAR CONTRACT FOR PHONE SERVICE, IN AN AMOUNT NOT TO EXCEED \$138,000 (FUNDED FROM ACCOUNT 210-7222 TELECOMMUNICATIONS SERVICES)**

**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 Watsonville 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**, Fusion Connect is the current telephone dial tone provider for the City phone system.

**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 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 three years of phone service 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 Contract between the City of Watsonville and Fusion Connect for phone service, in an amount not to exceed \$138,000 for three years, a copy of which Contract is attached hereto and incorporated herein by this reference, is hereby 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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