

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING SOLE SOURCE PURCHASE WITH TROJAN TECHNOLOGIES CORPORATION, FOR THE PURCHASE OF REPLACEMENT AND SPARE PARTS FOR THE RECYCLED WATER ULTRAVIOLET DISINFECTION SYSTEM, IN AN AMOUNT NOT TO EXCEED \$237,597.44; AUTHORIZING AND DIRECTING CITY MANAGER TO EXECUTE PURCHASE ORDER; AND AUTHORIZING A BUDGET APPROPRIATION FROM THE WASTEWATER ENTERPRISE FUND IN THE SAME AMOUNT

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 replacement and spare parts from Trojan Technologies Corporation; and

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

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 approving a sole source purchase order for replacement and spare parts 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 replacement and spare parts 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 the Council hereby approves the purchase of replacement and spare parts for the Recycle Water Ultraviolet Disinfection System from Trojan Technologies Corporation, in an amount not to exceed \$237,597.44.

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

6. That a budget appropriation from the Sewer Enterprise Fund to the Water Recycling Operation and Maintenance Budget account number 0710-532-7324 in the amount of \$237,597.44, is hereby approved.
