

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING (1) SOLE SOURCE PURCHASE FROM POLYDYNE, INC., DBA SNF POLYDYNE, INC., A CORPORATION, FOR THE PURCHASE OF POLYMER CHEMICALS USED IN WASTEWATER TREATMENT AND RECYCLED WATER PRODUCTION FOR FY22/23, IN AN AMOUNT NOT TO EXCEED \$520,000; AND (2) AUTHORIZING AN INCREASE TO EXISTING PURCHASE ORDER (22000039) WITH POLYDYNE, INC., DBA SNF POLYDYNE, INC., A CORPORATION, FOR THE PURCHASE OF POLYMER CHEMICALS USED IN WASTEWATER TREATMENT AND RECYCLED WATER PRODUCTION FOR FY21/22, BY \$120,000**

**WHEREAS**, 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 that is 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**, Polydyne, Inc., dba SNF Polydyne, Inc., presently supplies polymers to the City; and

**WHEREAS**, there are no other bids to supply polymer chemicals which meet City requirements already in use at the City's Wastewater Treatment Facility (also known as a sole source purchase); and

**WHEREAS**, on or about 9/16/2021, Council adopted Resolution No.241-21 (CM), authorizing the purchase order with Polydyne, Inc., dba SNF Polydyne, Inc., for FY21/22, for the purchase of supplies polymers to the City's Wastewater Treatment Facility in an amount not to exceed \$350,000; and

**WHEREAS**, based on the year-to-date expenditures, staff is requesting an increase of \$120,000 to existing purchase order number 22000039 due to unexpected drought conditions, resulting in higher than normal recycled water demand, which caused higher than normal chemical usage.

**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 this purchase order 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 polymer chemicals used in Wastewater Treatment and Recycled Water Production are available from one source that meets the City's facility treatment operations (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 this purchase from Polydyne, Inc., dba SNF Polydyne, Inc., a corporation, in an amount not to exceed \$520,000 for FY22/23, is hereby authorized.

5. That the increase to existing purchase order 22000039 with Polydyne, Inc., dba SNF Polydyne, Inc., a corporation, in the amount of \$120,000 for FY21/22, is hereby authorized.

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