

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING CONTRACT WITH CHEMTRADE CHEMICALS US LLC, A CORPORATION, FOR THE PURCHASE OF ALUMINUM SULFATE USED IN WASTEWATER TREATMENT PROCESSES, IN THE AMOUNT NOT TO EXCEED \$410,000 FOR FY 2022-2023; AND DIRECTING THE CITY MANAGER PRO TEMPORE TO EXECUTE SAME**

**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 of the Title 3 of the Watsonville Municipal Code; and

**WHEREAS**, subdivision (e) of § 3-5.210 exempts purchases made cooperatively with one (1) or more other units of government through cooperative purchasing programs substantially the same as the City of Watsonville; 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**, Chemtrade Chemicals US LLC., was determined to be the lowest responsive bid by the BACC for the supply and delivery of Aluminum Sulfate; and

**WHEREAS**, the City Manager Pro Tempore has recommended that the proposal from Chemtrade Chemicals US LLC., in an amount not to exceed \$410,000, be accepted as the best response.

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

1. 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 contract 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. 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 subdivisions (e) and (f) § 3-5.210 of the Municipal Code.

3. That the purchase of Aluminum Sulfate from Chemtrade Chemicals US LLC, a corporation, in an amount not to exceed \$410,000 for FY 2022-2023, is hereby authorized.

4. That the Contract for Consultant Services between the City of Watsonville and Chemtrade Chemicals US LLC., for the purchase of Aluminum Sulfate used in wastewater treatment processes, commencing on July 1, 2022, and ending June 30, 2023, in an amount not to exceed \$410,000, a copy of which Contract is attached hereto and incorporated herein by this reference, is fair and equitable and is hereby approved.

5. The City Manager Pro Tempore 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 Pro Tempore and the City Attorney.

\*\*\*\*\*