

RESOLUTION NO 6714

A RESOLUTION OF THE ALBANY CITY COUNCIL, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, WAVING COMPETITIVE BIDDING, ESTABLISHING A CLASS SPECIAL PROCUREMENT, AND AWARDING A SPECIAL PROCUREMENT CONTRACT FOR FLYGT SUBMERSIBLE MIXER PRODUCTS AND RELATED EQUIPMENT TO XYLEM, INC

WHEREAS, Albany Municipal Code 2 66 060 (11), Oregon Revised Statutes 279B 085, and Oregon Administrative Rule 137-047-0285 allow the City Council, acting as the Local Contract Review Board, to authorize the use of the Special Procurement process for the selection of goods and services contractors for a special purpose, and

WHEREAS, such authorization must be based on written findings submitted by the department seeking the exception that describes the selected special procurement method to be used and the circumstances that support the use of the special procurement as set forth below, and

WHEREAS, the existing Vertical Loop Reactor located at the Albany-Millersburg Water Reclamation Facility currently use Flygt submersible mixers and related equipment, and

WHEREAS, procurement of Flygt submersible mixers and related equipment allows for compatibility with other existing equipment, maintains efficient operations, and promotes the public's best interest, and

WHEREAS, Xylem, Inc., is the sole manufacturer/supplier of Flygt products so awarding a contract to Xylem is unlikely to encourage favoritism in the awarding of public contract or to substantially diminish competition for public contracts, and

WHEREAS, the use of a class special procurement process to purchase Flygt products and related equipment is reasonably expected to result in substantial cost savings to the City, and

WHEREAS, the use of a class special procurement process to purchase Flygt products and related equipment will substantially promote the public interest in a manner that could not practicably be realized by complying with requirements that are under Oregon Revised Statutes 279B 055, 279B 060, 279B 065, or 279B 070 or under any rules adopted thereunder.

NOW, THEREFORE, BE IT RESOLVED BY THE ALBANY CITY COUNCIL, ACTING AS THE LOCAL CONTRACT REVIEW BOARD

SECTION 1 Adopts the following findings

- 1 The City requires a class special procurement of Flygt mixers and related equipment for the Vertical Loop Reactor located at the AM-WRF in order to maintain consistency, uniformity, and efficiency in operations
2. The Public Works Department has researched options and found that standardization of Flygt products and related equipment promotes familiarity, safety, and efficiency in operations and allows prompt repair and exchange of parts and accessories between facilities
3. Xylem, Inc., is the sole supplier of Flygt products and related equipment, and awarding a contract to Xylem, Inc , would unlikely diminish competition or encourage favoritism
- 4 The use of a class special procurement process allows the Public Works Department to acquire additional future purchases of Flygt products and related equipment for the Vertical Loop Reactors' mixers without making subsequent request for special procurement and provides savings of time and cost associated with a more prolonged procurement selection process

SECTION 2 Notwithstanding the provisions of City Code Section 2 66 060, the Public Works Department is authorized and directed to use the class special procurement method to procure Flygt products and related equipment

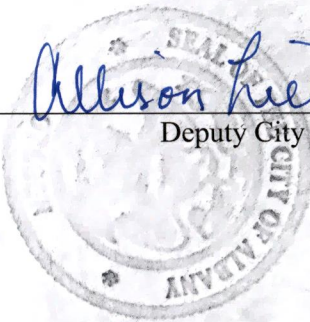
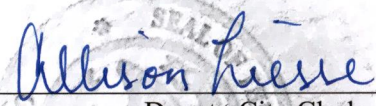
SECTION 3 The Public Works Director is hereby directed to negotiate and award a contract for Flygt products and related equipment to Xylem, Inc , after the City has given public notice for seven days of its intent to award a contract, per Oregon Administrative Rules 137-047-0285

DATED AND EFFECTIVE THIS 13TH DAY OF JUNE 2018



Mayor

ATTEST

Deputy City Clerk