

RESOLUTION NO. 6291

A RESOLUTION OF THE ALBANY CITY COUNCIL, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, WAIVING COMPETITIVE BIDDING, ESTABLISHING A CLASS SPECIAL PROCUREMENT, AND AWARDING A SPECIAL PROCUREMENT CONTRACT FOR HACH, ENDRESS AND HAUSER, AND KINETROL PRODUCTS AND RELATED EQUIPMENT TO HACH, FIELD INSTRUMENTS AND CONTROLS, AND PARAMOUNT SUPPLY COMPANY RESPECTIVELY.

WHEREAS, Albany Municipal Code 2.66.060 (11), Oregon Revised Statutes 279B.085 and OAR 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 Public Works department water facilities currently use Hach meters and related equipment; and

WHEREAS, the Public Works Department water facilities currently use Endress & Hauser meters and related equipment; and

WHEREAS, the Public Works Department water facilities currently use Kinetrol Actuators and related equipment; and

WHEREAS, procurement of standardized meters and actuators and related equipment allows for compatibility with other existing equipment, maintains efficient operations, and promotes the public's best interest; and

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

WHEREAS, Field Instruments and Controls is the sole manufacturer/supplier of Endress and Hauser products so awarding a contract to Field Instruments and Controls is unlikely to encourage favoritism in the awarding of public contract or to substantially diminish competition for public contracts; and

WHEREAS, Paramount Supply Company is the sole manufacturer/supplier of Kinetrol products so awarding a contract to Paramount Supply Company is unlikely to encourage favoritism in the awarding of public contract or to substantially diminish competition for public contracts; and

WHEREAS, it is reasonable to expect the use of a class special procurement process to purchase Hach, Endress and Hauser, and Kinetrol products and related equipment to result in substantial cost savings to the City; and

WHEREAS, the use of a class special procurement process to purchase Hach, Endress and Hauser, and Kinetrol 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 ORS 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 Hach, Endress and Hauser, and Kinetrol products and related equipment for Public Works facilities in order to maintain consistency, uniformity, and efficiency in operations.
2. The Public Works Department has researched options and found that standardization of Hach, Endress and Hauser, and Kinetrol products and related equipment promotes familiarity, safety, and efficiency in operations and allows prompt repair and exchange of parts and accessories between facilities.
3. Hach, Field Instruments and Controls, and Paramount Supply Company are the sole manufacturers/suppliers respectively of Hach, Endress and Hauser, and Kinetrol products and related equipment, and awarding a contract to Hach, Field Instruments and Controls, and Paramount Supply Company 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 Hach, Endress and Hauser, and Kinetrol products and related equipment 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 Hach, Endress and Hauser, and Kinetrol products and related equipment.

SECTION 3. The Public Works Director is hereby directed to negotiate and award a contract for Hach, Endress and Hauser, and Kinetrol products and related equipment to Hach, Field Instruments and Controls, and Paramount Supply Company respectively after the City has given public notice for seven days of its intent to award a contract, per Oregon Administrative Rules (OAR) 137-047-0285.

DATED AND EFFECTIVE THIS 11<sup>TH</sup> DAY OF DECEMBER 2013.

  
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Mayor

ATTEST:

  
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City Clerk

