

SAUSALITO-MARIN CITY SANITARY DISTRICT

RESOLUTION NO. 1008

**TREATMENT PLANT DISINFECTION SYSTEM ANALYZER REPLACEMENT PROJECT
ADOPT RESOLUTION NO. 1008 TO AUTHORIZE THE GENERAL MANAGER TO PRE-
NEGOTIATE A SOLE SOURCE PURCHASE PRICE WITH G3 ENGINEERING FOR FOUR
SIEMENS CORPORATION DISINFECTION ANALYZERS TO BE PROCURED, DELIVERED
AND INSTALLED BY THE PROJECT CONTRACTOR**

The Board of Directors of the Sausalito-Marín City Sanitary District, Marin County finds and determines as follows:

WHEREAS, the District currently operates a disinfection system at the wastewater treatment plant as required by the facility NPDES permit (CA0038067) issued by the San Francisco Regional Water Quality Control Board; and

WHEREAS, the disinfection system analyzers manufactured by Siemens Corporation were installed in 1986 as part of the facility secondary upgrade project and have now reached their useful life and need to be replaced in order to maintain safe and reliable operation as required by the NPDES permit; and

WHEREAS, the District retained the services of Kennedy Jenks Engineers to evaluate replacement options for the disinfection analyzers. Their project technical memorandum dated April 2, 2014 identified two possible analyzers for consideration, ATI and Siemens; and

WHEREAS, the District's existing analyzers are manufactured by Siemens and in order to compare the analyzers the District conducted a pilot test with the ATI analyzers; and

WHEREAS, the pilot test demonstrated that the ATI analyzers are not as accurate and the analyzer reaction time cannot satisfactorily support, as compared to the Siemens analyzers, the current disinfection system operation and control programming; and

WHEREAS, technical research completed by Kennedy Jenks Engineers using the 2010 White's Handbook of Chlorination by Black and Veatch Corporation, "the field comparison of analyzers" section corroborates the District's field testing results; and

WHEREAS, based on the results of the evaluation and pilot test, the District finds that replacement of the existing disinfection analyzers with similar technology, specifically the Siemens Corporation analyzers, is in the District's best interest to ensure satisfactory performance, operation and NPDES permit compliance; and

WHEREAS, California Public Contract Code Section 3400(b) permits government agencies to call for a particular product in its bid specifications or to suspend competitive bidding and make sole source purchases of products or equipment in order to match other

products in use on a particular improvement either completed or in the course of completion or to obtain a necessary item that is only available from one source; and

WHEREAS, G3 Engineering is the sole_distributor of the Siemens Corporation analyzers for our region; and

WHEREAS, purchase of this product is also exempt from the competitive bidding requirements pursuant to the established common-law doctrine articulated in the case of *Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal.App. 3d 631 because the purchase of this equipment is determined to be necessary to serve the best interests of the District; and

NOW, THEREFORE, BE IT RESOLVED that the District intends to pre-negotiate a sole source purchase price with G3 Engineering for four (4) Siemens Corporation analyzers as part of the Treatment Plant Disinfection Analyzer Replacement Project.

BE IT FURTHER RESOLVED THAT the Board finds that all of the recitals set forth above are true and correct to the best of its knowledge, and based on said finding, determines that the General Manager is authorized to pre-negotiate a sole source purchase price with G3 Engineering to be included in the construction contract bid specifications and that the analyzers will be procured, delivered and installed by the project contractor.

* * * *

I hereby certify that the foregoing Resolution was duly and regularly adopted by the Board of Directors of the Sausalito-Marín City Sanitary District, Marin County, California, at a meeting held on February 17, 2015, by the following vote:

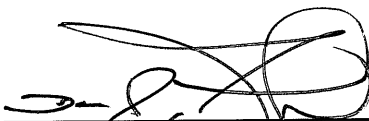
AYES, and in favor thereof, Directors: *Arnott, Beers, DeLano, Rheiner, Ring*

NOES:

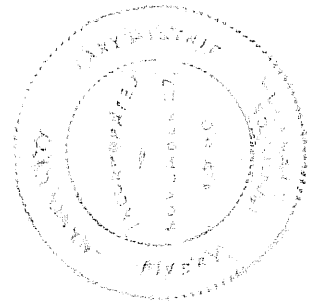
ABSTAIN:

ABSENT:

APPROVED:



Dan Rheiner, Board President



(SEAL)



Helen Lei, Board Secretary