

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING AN EXCEPTION TO FORMAL BIDDING PROCEDURES AND AWARD OF A SOLE SOURCE PURCHASE AGREEMENT WITH ATEC WATER SYSTEMS, LLC IN AN AMOUNT NOT TO EXCEED \$191,016.62.

WHEREAS, the City of Fresno Charter Section 1208(a) requires advertised competitive bidding for equipment involving the expenditure of City monies in excess of \$172,000; and

WHEREAS, City Charter Section 1208(a)(5)(iv) states Section 1208(a) shall not apply when Council determines a good or product can only be provided by one source, and the purchase is authorized by resolution of Council containing a declaration of the facts constituting the sole source; and

WHEREAS, the product identified is the procurement of the ATEC Water Filtration System; for future installation at Pump Station (PS) 347 to maintain manganese concentrations below the secondary Maximum Contaminant Level, allowing the City to bring the currently nonoperational well back into regular operation; and

WHEREAS, ATEC Water Systems, LLC. (ATEC) is the sole supplier of the ATEC Water Filtration System, the City's preferred product in this region; and

WHEREAS, the cost of the procurement of the ATEC Water Filtration System is \$191,016.62; and

WHEREAS, the Director of Public Utilities has approved the proposed work and now seeks Council approval.

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: C.C.

Resolution No.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

The Council has received and considered the report and recommendations of City Staff.

1. The ATEC Water Filtration System required at PS 347 has been consistently employed at a majority of the City's drinking water wells that require removal of iron and/or manganese, and it has consistently proven its efficacy and reliability.
2. ATEC is the sole source of the ATEC Water Filtration System.
3. Staff proposes to award the sole source purchase agreement of the ATEC Water Filtration System to ATEC, for a total cost of \$191,016.62.
4. Council hereby finds it is appropriate and necessary for the City to dispense with the competitive bidding requirement in this instance, and to authorize the Purchasing Manager to award the ATEC agreement under the sole source exception.
5. This resolution shall be effective upon final approval.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2024.

AYES :
NOES :
ABSENT :
ABSTAIN :

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Christine C. Charitar Date
Deputy City Attorney

Attachment: ATEC Water Systems, LLC. Product Purchase Agreement