

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DECLARING AN URGENT NECESSITY FOR THE PRESERVATION OF LIFE, HEALTH, PROPERTY; AND AUTHORIZING THE PURCHASING MANAGER OF THE FINANCE DEPARTMENT OR DESIGNEE TO CONTINUE PROCESSING INVOICES FOR THE PURCHASE OF BULK SODIUM HYDROXIDE IN THE INTERIM WHILE A NEW REQUIREMENTS CONTRACT IS ESTABLISHED.

WHEREAS, the City of Fresno (City) owns and operates three surface water treatment facilities in Northeast (NESWTF), Southeast (SESWTF) and East Central Fresno Tank-3 (T-3); and

WHEREAS, the surface water treatment facilities have the capacity to produce over half of the City's potable water supply annually; and

WHEREAS, these facilities utilize a variety of chemicals to treat surface water to provide reliable, safe, clean drinking water for the community; and

WHEREAS, sodium hydroxide is used in the post-treatment process at the NESWTF, the SESWTF and T-3 for corrosion control in the distribution system; and

WHEREAS, on February 8, 2018, Council approved a requirements contract with a term of one-year with provisions for two one-year extensions in the amount of \$307,998.68 to Univar USA, Inc., for bulk sodium hydroxide; and

WHEREAS, during the latest extension it was apparent that necessary quantities of sodium hydroxide were to exceed the purchase order limits that were previously approved; and



WHEREAS, in May 2018, the SESWTF became operational and the City's production of surface water grew from 15 percent of total potable water production to a present day 51 percent far exceeding initial estimates; and

WHEREAS, the invoiced amounts have exceeded the formal bid amount in City of Fresno Charter Section 1208; and

WHEREAS, the continued operation of the NESWTF, SESWTF and T-3, is essential for the health and safety of the community to provide reliable, safe, clean drinking water; and

WHEREAS, a disruption in the delivery of bulk sodium hydroxide could prevent the safe operation of the NESWTF, SESWTF and T-3 or have a detrimental effect on water quality;

WHEREAS, staff will return to City Council within 180 days with a recommendation to award a requirements contract for the purchase and delivery of bulk sodium hydroxide.

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

1. The foregoing facts constitute an urgent necessity for the preservation of life, health, or property,
2. The requirements of advertising for bids is hereby waived pursuant to Charter Section 1208(a),
3. The Purchasing Manager of the Finance Department or designee is authorized to continue approving the purchase of bulk sodium hydroxide while a competitive bidding process for a new requirement contract takes place.

* * * * *

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

I, YVONNE SPENCE, 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 _____, 2021.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2021
Mayor Approval/No Return: _____, 2021
Mayor Veto: _____, 2021
Council Override Vote: _____, 2021

YVONNE SPENCE, MMC CMC
City Clerk

By: _____
Deputy _____ Date _____

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Brandon M. Collet _____ Date _____
Senior Deputy City Attorney