

RESOLUTION NO. RES-2022-106

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING WAIVER OF COMPETITIVE BID AND BLANKET PURCHASE ORDERS FOR AWARD OF ASPHALT CONCRETE SUPPLIES TO BODEAN CO., INC. IN THE AMOUNT NOT TO EXCEED \$550,000 AND SYAR INDUSTRIES, INC., IN THE AMOUNT NOT TO EXCEED \$550,000

WHEREAS, the City has an ongoing need for asphalt concrete; and

WHEREAS, Finance, Transportation and Public Works, and the Water Departments request a Waiver of Competitive Bid and issuance of a Blanket Purchase Order to Bodean Co., Inc. and Syar Industries, Inc., to assure availability of asphalt concrete; and

WHEREAS, Bodean Co., Inc. and Syar Industries, Inc., has been determined to be the only vendors in close proximity to the City to provide asphalt supply, and provide the best value to the City; and

WHEREAS, Bodean Co., Inc. and Syar Industries, Inc., have agreed to use a price equation formula to calculate and justify changes in asphalt pricing; and

WHEREAS, the City's standard purchase order terms and conditions also require vendors to comply with applicable law, including the City Code where operating in City limits; and

WHEREAS, under the previous General Services Agreements with these vendors, the City suspended operations with vendors that are determined to be in violation of City Code; and

WHEREAS, under the City's Standard Purchase Order terms and conditions, the City has the authority, where a vendor is in violation of the City Code, to (1) suspend pickup and delivery of product under the BPO until such violations are resolved, without having to incur any City costs; and/or (2) terminate the BPO.

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NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa authorizes a Waiver of Competitive Bid and approves the issuance of a one-year Blanket Purchase Order with four (4) one-year extension options to Bodean Co., Inc. in the total amount not to exceed \$550,000 and the issuance of a one-year Blanket Purchase Order with four (4) one-year extension options to Syar Industries, Inc., in the total amount not to exceed \$550,000.

IN COUNCIL DULY PASSED this 7th day of June, 2022.

AYES: (7) Mayor C. Rogers, Vice Mayor Alvarez, Council Members Fleming, MacDonald, N. Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney