

RESOLUTION NO. 1280

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES APPROVING A SECOND AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING WITH DE NORA UV TECHNOLOGIES, LLC

WHEREAS, the Water Department has a need to replace the ultraviolet disinfection system at the Laguna Treatment Plant (LTP) to address issues of inadequate treatment capacity and system age; and

WHEREAS, on January 7, 2016, the Board of Public Utilities (Board) approved a Project Work Order under the Master Professional Services Agreement with Carollo Engineers, Inc., to provide Professional Engineering Services for the LTP Disinfection Improvements Project (Project); and

WHEREAS, the Project required pre-selection of ultraviolet light disinfection system equipment to incorporate equipment-specific parameters into the overall project design; and

WHEREAS, on September 22, 2016, the Transportation and Public Works Department conducted a competitive solicitation under Request for Proposal (RFP) 16-71 for ultraviolet light disinfection system equipment; and

WHEREAS, a selection committee comprised of City staff reviewed all qualified proposals and identified Calgon Carbon LLC, of Coraopolis Pennsylvania as the most qualified responsive and responsible bidder; and

WHEREAS, on November 17, 2016, the Board approved a Memorandum of Understanding (MOU) with Calgon Carbon UV Technologies, LLC (Calgon), guaranteeing an equipment purchase price of \$4,656,500.00 for a period of 18 months; and

WHEREAS, through 2017, the City placed the design project on hold to perform a value engineering study that reviewed disinfection system alternatives and verified that the preferred alternative was the best value for the City; and

WHEREAS, as City staff sought to resume project design following the value engineering process and project review, it issued an updated price request to Calgon on December 24, 2019, and received a revised proposal on March 23, 2020; and

WHEREAS, the revised proposal included a price escalation of \$978,200.00, resulting in a new equipment price of \$5,634,700; and

WHEREAS, on August 10, 2020, the Board approved an Amended and Restated Memorandum of Understanding with Calgon guaranteeing an equipment purchase price of \$5,634,700.00 for a period of 22 months; and

WHEREAS, on July 1, 2021, Calgon was acquired by De Nora through a Securities Purchase Agreement which changed the name of Calgon Carbon UV Technologies, LLC to De Nora UV Technologies, LLC (Supplier).

WHEREAS, on December 1, 2021, the Supplier submitted a revised Best and Final price which included a price escalation of \$288,791.28, resulting in a new equipment price of \$5,923,491.28.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities hereby approves a Second Amended and Restated Memorandum of Understanding with Supplier in substantially the form of Exhibit A, subject to approval as to form by the City Attorney, guaranteeing an equipment purchase price of \$5,923,491.28 until December 31, 2022.

