

RESOLUTION NO. 1236

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES AUTHORIZING A WAIVER OF COMPETITIVE PROCESS AND AWARD OF A SOLE SOURCE BLANKET PURCHASE ORDER FOR ULTRAVIOLET DISINFECTION SYSTEM PARTS TO DC FROST ASSOCIATES, INC., WALNUT CREEK, CALIFORNIA.

WHEREAS, the City Water Department has a requirement for parts for the ultraviolet disinfection system located at the Laguna Wastewater Treatment Plant; and

WHEREAS, on September 10, 1996, as a result of a competitive process, the City Council awarded contract No. 4957 to Trojan Technologies for the purchase of an ultraviolet disinfection system for the Laguna Treatment Plant; and

WHEREAS Trojan Technologies Inc., the manufacturer of the ultraviolet disinfection system and parts, has appointed DC Frost Associates, Inc. as the sole western United States distributor of Trojan Technologies ultraviolet disinfection system parts and service; and

WHEREAS, the Board of Public Utilities has previously awarded \$5,446,419.49 to DC Frost Associates, Inc. to maintain the operational capabilities of the Laguna Treatment Plant's ultraviolet disinfection operations; and

WHEREAS, DC Frost Associates Inc. has submitted a new one-year fixed price proposal for Trojan Technologies ultraviolet disinfection system parts; and

WHEREAS, the parts are proprietary in nature and can only be obtained from DC Frost Associates, Inc.; and

WHEREAS, City staff has thoroughly analyzed the proposal submitted by DC Frost Associates, Inc. and has determined the price proposal for ultraviolet disinfection system parts would be in the City's best interests to accept; and

WHEREAS, the Board of Public Utilities has considered the report of City staff and has concluded that the proposal submitted by DC Frost Associates, Inc. would be in the City's best interests to accept.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities hereby authorizes waiver of competitive process and award of a sole source blanket purchase order for the ultraviolet disinfection system parts to DC Frost Associates, Inc., Walnut Creek, California, for a one-year term not to exceed the amount of \$1,050,000.

DULY AND REGULARLY ADOPTED this 15<sup>th</sup> day of October 2020.

AYES: (7) GALVIN, ARNONE, BADENFORT, GRABILL, MULLAN, WATTS AND  
WRIGHT

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

APPROVED: \_\_\_\_\_/S/\_\_\_\_\_  
Daniel J. Galvin III  
Chair

ATTEST: \_\_\_\_\_/S/\_\_\_\_\_  
Roberta Atha  
Recording Secretary

APPROVED AS TO FORM:

\_\_\_\_\_/S/\_\_\_\_\_  
City Attorney