

CITY OF SANTA ROSA
BOARD OF PUBLIC UTILITIES

TO: BOARD OF PUBLIC UTILITIES
FROM: EMMA WALTON, DEPUTY DIRECTOR - WATER REUSE, SANTA
ROSA WATER
BRANDALYN TRAMEL, PURCHASING AGENT, FINANCE
DEPARTMENT
SUBJECT: WAIVER OF COMPETITIVE PROCESS AND SOLE SOURCE
AWARD FOR WASHER/COMPACTOR PARTS WITH OVIVO
USA, LLC

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Water and Finance Departments that the Board of Public Utilities, by resolution, waive competitive bidding and authorize the award of a sole source Purchase Order (PO) for screening washer/compactor unit parts to OVIVO USA, LLC, Salt Lake City, Utah, in the amount not to exceed \$314,882.70.

EXECUTIVE SUMMARY

All replacement parts required to maintain the washer/compactor units at the Laguna Wastewater Treatment Plant are proprietary to OVIVO USA, LLC and are only available for purchase from OVIVO USA, LLC.

BACKGROUND

The Laguna Treatment Plant operates two screenings washer/compactor units manufactured by OVIVO that provide separation of inorganic solids in the Plant's headworks facility. The washer/compactors protect downstream equipment by processing debris removed from the wastewater to prevent pumps and other equipment from plugging and damage. The units were purchased in 2007 by the City and installed as part of the Screen System Replacement and Primary Sedimentation Basin Modifications Capital Improvement Project, Contract No. 07-872.

Raw wastewater from the sewage collection system flows to the Plant and into the screen rooms where perforated plate screens remove rags and other large inorganic debris. The screenings then flow down a flume from the perforated plate screens into

WAIVER OF COMPETITIVE PROCESS AND SOLE SOURCE AWARD FOR
WASHER/COMPACTOR PARTS WITH OVIVO USA, LLC
PAGE 2 OF 3

the washer/compactor units, which consists of a wash box with two agitator impellers. The impeller agitates the water in the wash box, removing organic and fecal material attached to the screenings which reduces the presence of disease-causing pathogens. The wash water then flows over a weir to an auger that dries and compresses the screenings, which makes the material suitable for hauling and lowers hauling costs. Finally, the material is discharged into a debris bin and hauled to the landfill for disposal.

The influent material is highly corrosive and, due to the solids content which includes rock and grit, is highly abrasive. After nearly 15 years of operation, the wash boxes are showing signs of excessive wear and need to be replaced.

PRIOR BOARD OF PUBLIC UTILITIES REVIEW

On February 15, 2007, the Board, by Resolution No. 881, authorized the award of a sole source contract for the washer/compactors to EIMCO Water Technologies, LLC, Salt Lake City, Utah, which is now part of OVIVO.

ANALYSIS

OVIVO is the original equipment manufacturer (OEM) of the washer/compactor units and is the exclusive manufacturer and seller of all OVIVO parts and equipment used in wastewater treatment processes, which includes EIMCO products.

The parts and equipment that are needed to maintain the washer/compactor units cannot be obtained from other manufacturers. The terms and conditions negotiated for this contract are non-standard in that they (1) limit the Seller's liability to the amount paid for the products, (2) limit the time period of the warranties provided by the Seller, and (3) include language that would require each party to provide reciprocal indemnities covering the indemnifying party's negligence or willful misconduct.

Funds being requested under this resolution include payment for the following:

- Equipment: \$271,746.18
- Freight: \$18,000.00
- PO Subtotal: \$289,746.18
- Plus 9.25% Tax on Equipment: \$25,136.52
- **Total: \$314,882.70**

The attached \$289,746.18 proposal from OVIVO includes the cost of the \$18,000 for freight but does not include the 9.25% tax on equipment as they are an out of state supplier and have no ability to remit taxes to the City of Santa Rosa or State of California. Santa Rosa will remit the appropriate taxes directly to the State.

WAIVER OF COMPETITIVE PROCESS AND SOLE SOURCE AWARD FOR
WASHER/COMPACTOR PARTS WITH OVIVO USA, LLC
PAGE 3 OF 3

FISCAL IMPACT

Funds required for this operational expense have been appropriated in the fiscal year 2021-2022 adopted Water Department budget.

ENVIRONMENTAL IMPACT

Pursuant to CEQA Guidelines Section 15378, this action is exempt is not a project subject to the California Environmental Quality Act (CEQA) because the action does not have a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. To the extent that the action can be considered a project, it is also exempt pursuant to CEQA Guidelines Section 15301 because it is intended to facilitate the maintenance of existing public facilities and mechanical equipment.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

ATTACHMENTS

- Attachment 1 – OVIVO Price Proposal
- Resolution

CONTACT

Emma Walton, Deputy Director - Water Reuse, Water Department, ewalton@srcity.org, 707-543-4516

Brian Bokkin, Wastewater Treatment Superintendent, Water Department, bbokkin@srcity.org, 707-543-3417