

A RESOLUTION OF THE ALBANY CITY COUNCIL, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, WAIVING COMPETITIVE BIDDING AND AWARDING A SOLE SOURCE CONTRACT TO TRANE.

WHEREAS, the Albany City Council serves as the City's Local Contract Review Board; and

WHEREAS, the Local Contract Review Board may award a contract without competitive bidding when the contractor is the sole source of the goods and services required; and

WHEREAS, The heating, ventilation and air conditioning equipment (HVAC), in City Hall's computer network server room is failing to maintain a reliable and stable temperature, causing system failures twice in the last ten months. This situation represents an immediate threat to the functionality of the City's computer networks, which may result in excessive payroll and equipment costs as well as heightened concern for public safety; and

WHEREAS, In the event of a HVAC failure, the server room may need to be shut down in order to prevent equipment over heating or failure. This would disrupt all systems for the City of Albany including servers, phones and equipment for emergency services such as Police and Fire as well as computers city-wide; and

WHEREAS, In case of equipment failure due to HVAC failure, the existing warranty on the City's servers may become invalid and new equipment would need to be procured; and

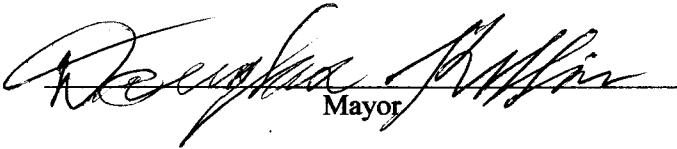
NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City of Albany City Council, acting as the Contract Review Board, adopts the following findings:

1. City staff have concluded that the existing HVAC equipment must be replaced to protect the City's investment in it's computer system; and
2. Trane provides the current existing HVAC system for City Hall; and
3. In order for the IT server room HVAC equipment to be compatible with the existing Trane HVAC system, it is necessary to acquire compatible goods and services from Trane; and
4. Procuring all of the equipment from a sole-source such as Trane provides single vendor responsibility for equipment, installation, warranty and performance of City Hall's entire HVAC system; and
5. Trane is the only approved sole-source vendor for installation of the existing Trane Tracer Maintenance Program. This sole-source procurement enables compatibility with the current Trane maintenance software program used throughout City Hall to remotely monitor conditions and make system adjustments; and
6. Purchase of the HVAC equipment and services will be made from the City Hall IT HVAC Replacement Account, 217-10-2002-65097; and
7. The facts set forth in the accompanying memorandum from the IT Director and the Parks & Recreation Director, dated May 15, 2007, are incorporated herein as additional findings.

SECTION 2. The Parks & Recreation Director is authorized to negotiate a contract with Trane, as the sole source provider for specific HVAC equipment and services defined in the memorandum. If no comments or protests are received within seven days from the date of the public notice, per Oregon Administrative Rules (OAR) 137-047-0275, an award letter will be issued to Trane.

DATED AND EFFECTIVE THIS 23RD DAY OF MAY 2007.


Mayor

ATTEST:


City Clerk