

RESOLUTION NO. 6471

A RESOLUTION OF THE ALBANY CITY COUNCIL, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, TO WAIVE COMPETITIVE BIDDING AND AWARD A SPECIAL PROCUREMENT CONTRACT FOR TWO FLYGT PUMPS AND RELATED EQUIPMENT TO XYLEM INC.

WHEREAS, Albany Municipal Code 2.66.060 (11), Oregon Revised Statutes 279B.085 and OAR 137-047-0285 allow the City Council, acting as the Local Contract Review Board, to authorize the use of the Special Procurement process for the selection of goods and services contractors for a special purpose; and

WHEREAS, such authorization must be based on written findings submitted by the department seeking the exemption that describes the selected special procurement method to be used and the circumstances that support the use of the special procurement as set forth below; and

WHEREAS, the existing Maple Street Sewer Lift Station currently uses Flygt Pumps and related equipment; and

WHEREAS, procurement of these Flygt pumps allows for compatibility with existing equipment, maintains efficient operations, and promotes the public's best interest; and

WHEREAS, Xylem, Inc. is the supplier of Flygt products so awarding a contract to Xylem is unlikely to encourage favoritism in the awarding of public contract or to substantially diminish competition for public contracts; and

WHEREAS, the use of a special procurement process to purchase these Flygt pumps and related equipment is reasonable and is expected to result in substantial cost savings to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE ALBANY CITY COUNCIL, ACTING AS THE LOCAL CONTRACT REVIEW BOARD:

SECTION 1. Adopts the following findings:

1. The City requires a special procurement of two Flygt pumps and related equipment for the Maple Street Lift Station in order to maintain consistency, uniformity, and efficiency in operations.
2. Xylem Inc., is the sole suppliers of Flygt pumps and awarding a contract to Xylem, Inc. would unlikely diminish competition or encourage favoritism.

SECTION 2. The Public Works Director is hereby directed to negotiate and award a contract for these two Flygt Pumps and related equipment to Xylem, Inc. after the City has given public notice for seven days of its intent to award a contract per Oregon Administrative Rules (OAR) 137-047-0285.

DATED AND EFFECTIVE THIS 7<sup>TH</sup> DAY OF DECEMBER 2015.

  
Mayor

ATTEST:

  
City Clerk