

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO APPROVE  
THE SOLE-SOURCE JUSTIFICATION AND AUTHORIZATION OF INTENT TO  
PURCHASE BIOSOLIDS THERMAL DRYER EQUIPMENT**

**WHEREAS**, the proposed Wastewater Treatment Facility (WWTF) Biosolids Thermal Dryer project will produce a high-quality, thermally dried product that is safe for beneficial reuse through distribution or land application.; and

**WHEREAS**, the thermal dryer equipment, once operational after completion of the project, will reduce the utility's current solids hauling and disposal costs and reduce the utility's vulnerability on reliance of the volatile private hauling and landfills disposal markets.

**WHEREAS**, NCGS 143-129(e) lists the authorized exceptions to the formal bid procedures. NCGS 143-129(e)(6) allows for purchases of apparatus, supplies, materials, or equipment to be purchasing using sole-source exception when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration. The governing board of a political subdivision of the State shall approve the purchases listed in the preceding sentence prior to the award of the contract; and

**WHEREAS**, the Basis of Design Report for the project prepared by project engineer, McKim & Creed, Inc., determined that the Model 1050 direct-fired medium-temperature belt dryer manufactured by Gryphon Environmental is the only biosolids thermal dryer equipment available that can meet the performance and compatibility criteria, and it was found to result in the lowest capital and life cycle costs.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Hendersonville, North Carolina that:

1. A soul-source justification of Biosolids Thermal Dryer Equipment, Model 1050 direct-fired medium-temperature belt dryer manufactured by Gryphon Environmental and provided by Interstate Utility Sales, Inc. is approved for the WWTF Biosolids Thermal Dryer Project.
2. Utility Staff are authorized to continue negotiations with the equipment manufacturer on the terms and conditions of the direct purchase of the biosolids thermal dryer equipment and present the final purchase agreement to the City Council for approval in the near future.

Adopted by the City Council of the City of Hendersonville, North Carolina on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Attest:

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Barbara G. Volk, Mayor, City of Hendersonville

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Jill Murray, City Clerk

Approved as to form:

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Angela S. Beeker, City Attorney