

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO
AUTHORIZE THE SOLE-SOURCE PURCHASE OF CHLORINE FOR THE WATER
TREATMENT PLANT**

WHEREAS, the City of Hendersonville’s Finance Department is submitting this request on behalf of the City’s Water Treatment Plant (“WTP”); and,

WHEREAS, the City’s WTP utilizes chlorine; and,

WHEREAS, Chlorine is required by the state for certain levels in the treatment train for certain CT/Contact Times and a certain residual level must be maintained in the distribution system; and,

WHEREAS, G.S. § 143-129(e) list authorized exceptions to formal bid procedures. G.S. § 143-129(e)(6) allows for purchases of apparatus, supplies, materials, or equipment without following the procedures of 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; and

WHEREAS, The EPA has documented factors limiting chlorine availability in the US, especially chlorine produced for water and wastewater treatment operations; and

WHEREAS, WTP have conducted a diligent search for chlorine suppliers. Vendors contacted are unable to supply the amount of chlorine needed by the City in ton containers and are not equipped to supply currently, or are unable to guarantee product availability and safety; and

WHEREAS, Other suppliers are unable to provide the necessary chlorine controlling for product availability and safety; and,

WHEREAS, the City’s RMP Risk Management Plan (which is filed with the USEPA, NCDEQ) and Emergency Management require certain safety training along with training at City facilities to be documented. Safety inspectors prefer that chemicals be sourced consistently from the same vendor to ensure safe handling controls.; and,

WHEREAS, JCI Jones Chemicals, Inc. (out of Charlotte, NC) is the only supplier who can provide chlorine gas in the ton containers the City requires, ensuring product availability and in the volume for water treatment disinfection at the City’s 12 million per gallon a day rated water treatment facility.

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

1. Performance competition is not available for the purchase of chlorine as it is required by the City.

2. JCI Jones Chemicals, Inc. is the only supplier who can provide chlorine as it is required by the City.
3. The City Council approves the purchase of chlorine for the water treatment plant from JCI Jones Chemicals, Inc.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of August 2024.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney