

No: 25-
Date: March 19, 2025

RESOLUTION
OF THE CITY COUNCIL
CITY OF SANDPOINT

TITLE: DECLARING OXARC, INC., THE SOLE SOURCE PROVIDER OF SPECIALIZED INDUSTRIAL GASES FOR THE CITY'S TREATMENT PLANTS AND APPROVING PURCHASE ORDER 25-1495

WHEREAS: The City purchases specialized industrial gases (chlorine and sulfur dioxide for the wastewater treatment plant and chlorine gas, as well as soda ash, for the water treatment plant), which are critical chemicals required for the disinfection at the City's water and wastewater treatment plants;

WHEREAS: There are two companies, Air Gas and OXARC, locally and regionally, that can provide these gases, with OXARC, Inc., located nearby in Ponderay, and Air Gas located in Spokane Valley;

WHEREAS: Because of the high dollar amount spent on these gases, which, due to availability, have been and are currently being purchased through OXARC, Inc., a procurement process was undertaken to obtain pricing and product availability from Air Gas to ensure compliance with procurement regulations;

WHEREAS: Air Gas did not respond to the request for product availability and pricing, staff has determined and recommends that, at this time, for the remainder of FY2025 and FY2026, the City needs to continue purchasing these gases from OXARC, Inc., which can provide gas delivery from their local Ponderay facility within three (3) days of order receipt;

WHEREAS: City staff has generated a purchase order in the amount of \$125,000 for continued purchase of gases from OXARC, Inc., with this purchase considered a sole source purchase under Idaho Code § 67-2808, Emergency Expenditures and Sole Source Expenditures, due to logistics and the potential public health and safety risk.

NOW, THEREFORE, BE IT RESOLVED THAT: Pursuant to Idaho Code § 67-2808, the City Council of the City of Sandpoint hereby declares that, at this time, OXARC, Inc., is the one and only provider of critical specialized industrial gases for the water and wastewater treatment plants.

BE IT FURTHER RESOLVED THAT: City staff is directed to provide for publication of this sole source expenditure declaration in the legal publications section of the Bonner County Daily Bee, the City's newspaper of record, at least 14 calendar days prior to the award of any contract to or purchase of gases from OXARC, Inc.

BE IT FURTHER RESOLVED THAT: Purchase Order No. 25-1495, a copy of which is attached hereto and made a part hereof as if fully incorporated herein, is hereby approved to be utilized following the newspaper publication directed above with confirmation that the City has received no challenges to the sole source declaration.

Jeremy Grimm, Mayor

ATTEST:

Melissa Ward, City Clerk