

## **RESOLUTION NO. 1646**

### **A RESOLUTION OF THE CITY OF SNOQUALMIE, WASHINGTON, DECLARING SPECIAL FACILITIES AND MARKET CONDITIONS AND THE EXISTENCE OF A SINGLE SOURCE OF SUPPLY, AND WAIVING COMPETITIVE BIDDING REQUIREMENTS FOR THE PURCHASE OF HEADWORKS BELT SCREEN AND AUTHORIZING THE PURCHASE THEREOF**

**WHEREAS**, the City seeks to purchase a headworks belt screen for the Water Reclamation Facility Phase 3 improvement project (“Project”); and

**WHEREAS**, the City’s project engineer, RH2 Engineering, Inc. (“RH2”) and City staff identified Huber Technology, Inc. as the equipment manufacturer whose headworks belt screen equipment is most suitable for the City because it is standardized to be compatible with the City’s existing equipment at the Water Reclamation Facility; and

**WHEREAS**, a headworks belt screen from Huber Technology will provide in-kind replacement of the existing screen with only minor changes, and will avoid the added cost associated with a new control panel or channel reconfiguration, and with redesign that would be required for screens from other manufacturers; and

**WHEREAS**, global supply chain problems have significantly delayed equipment arrival on current and past City projects, and headworks belt screen equipment has a lead time of up to 9 months; and

**WHEREAS**, purchasing the headworks belt screen from Huber Technology will enable the City to receive the required equipment in the most expedited manner; and

**WHEREAS**, Huber headworks belt screen equipment is regionally available solely from Huber Technology; and

**WHEREAS**, pursuant to the Revised Code of Washington (“RCW”) Sections 35A.40.210, the provisions of RCW 35.23.352 govern the purchases of goods and equipment by the City; and

**WHEREAS**, RCW 35.23.352(7) provides that “[a]ny purchase of supplies, material, or equipment, except for public work or improvement, where the cost thereof exceeds seven thousand five hundred dollars shall be made upon call for bids”; and

**WHEREAS**, RCW 35.23.352(1) provides that “[t]he city or town legislative authority may waive the competitive bidding requirements of this section pursuant to RCW 39.04.280 if an exemption contained within that section applies to the purchase or public work”; and

**WHEREAS**, RCW 39.04.280(1)(b) permits the waiver of competitive bidding requirements for purchases involving special facilities or market conditions; and

**WHEREAS**, RCW 39.04.280(1)(a) permits the waiver of competitive bidding requirements for purchases that are clearly and legitimately limited to a single source of supply,

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SNOQUALMIE AS FOLLOWS:**

Section 1. Waiver of Competitive Bidding Requirements. Based on the foregoing recitals, which are hereby adopted by reference as findings of fact as if separately set forth herein, due to the fact that Huber Technology headworks belt screen equipment is a special facility for the Water Reclamation Facility Phase 3 Improvement Project, for which Huber Technology is a single source of supply, the City Council of the City of Snoqualmie hereby waives competitive bidding requirements in accordance with RCW 35A.40.210, RCW 35.23.352(1), and RCW 39.04.280 for the purchase of such equipment from Huber Technology.

Section 2. Authorization for Contract Execution. The Mayor or her designee is authorized to execute and/or approve a purchase order, purchase contract, invoice or other document for the purchase of the headworks belt screen equipment from Huber Technology, Inc. in the total estimated amount of \$179,521.65 including sales and use tax.

Passed, by the City Council of the City of Snoqualmie, Washington, this 8<sup>th</sup> day of May, 2023.

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Katherine Ross, Mayor

Attest:

Approved as to form:

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Deana Dean, City Clerk

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Anna Astrakhan, Assistant City Attorney