

RESOLUTION NO. XXXX

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 ELECTRICAL MOTOR CONTROL EQUIPMENT AND AUTHORIZING THE PURCHASE THEREOF

WHEREAS, the City seeks to purchase motor control center electrical gear 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 Rockwell Automation as the electrical equipment manufacturer whose motor control 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, Rockwell Automation electrical motor control equipment is available solely from North Coast Electric Company (“NCEC”); and

WHEREAS, global supply chain problems have significantly delayed equipment arrival on current and past City projects, and motor control center electrical gear has a lead time of up to 70 weeks; and

WHEREAS, the City desires to purchase the Rockwell Automation equipment from NCEC through Control Systems NW, LLC (“CSNW”), a subsidiary of RH2 that specializes in control system design and integration, and that will provide discounted pricing, warranty, insurance, equipment quality control and commissioning services to the City, enabling the City to receive the required electrical equipment in the most expedited manner; 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 Rockwell Automation electrical motor control equipment is a special facility for the Water Reclamation Facility Phase 3 Improvement Project, for which North Coast Electric Company 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 North Coast Electric Company.

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 Rockwell Automation electrical motor control equipment from North Coast Electric Company through Control Systems NW, LLC in the total estimated amount of \$620,921, including sales and use tax.

Passed, by the City Council of the City of Snoqualmie, Washington, this ____ day of _____, 2023.

Katherine Ross, Mayor

Attest:

Deana Dean, City Clerk

Approved as to form:

Bob C. Sterbank, City Attorney