

RESOLUTION NO. 2018-45

A Resolution Approving Three Exemptions to Public Contracting Rules for the Water Reclamation Facility Tertiary Treatment Expansion Project, pursuant to ORS 279C.345.

RECITALS:

Acting as the Local Contract Review Board, the City Council has authority over public contracts awarded by the City of McMinnville.

The City's public contracting rules, prohibit the City from including specifications that expressly or implicitly require any project by any brand name or mark, or the product of any particular manufacturer or seller, unless the product is found to be exempt, pursuant to ORS 279C.345 and OAR 137-049-0870.

The Local Contract Review Board may find a product to be exempt if,

- a) It is unlikely that the exemption will encourage favoritism in the awarding of the public improvement contracts or substantially diminish competition for the improvement contracts;
- b) The specification of a product by brand name or mark, or the product or a particular manufacturer or seller, would result in substantial cost savings to the City;
- c) There is only one manufacturer or seller of the product of the quality required; or,
- d) Efficient utilization of existing equipment or supplies requires the acquisition of compatible equipment or supplies.

The Council has reviewed the requests for exemption submitted by staff for the following products and finds that the products are exempt for the reasons set forth in the documents attached hereto as Exhibits 1, 2, and 3, and incorporated herein:

- a) UV System: Trojan Technologies, TrojanUV3000Plus
- b) Automatic Backwashing Filter: Parkson, EcoWash
- c) Gate Actuators: Rotork, IQ Series

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON as follows:

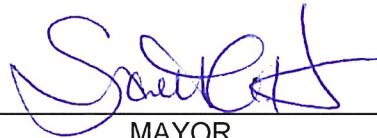
1. The Products described in the attached Exhibits 1, 2, and 3, are hereby exempt pursuant to ORS 279C.345 and OAR 137-049-0870, for the purposes of the Water Reclamation Facility Tertiary Treatment Expansion Project.
2. This Resolution will take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 28<sup>th</sup> day of August 2018 by the following votes:

Ayes: Drabkin, Garvin, Menke, Peralta, Stassens

Nays: \_\_\_\_\_

Approved this 11<sup>th</sup> day of September, 2018.



MAYOR

Approved as to form:



CITY ATTORNEY