RESOLUTION APPROVING THE FINDINGS AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF $1,176,150 WITH SYNAGRO TO PERFORM DIGESTER CLEANING AND REPAIR SERVICES AT THE REGIONAL WASTEWATER CONTROL FACILITY

Stockton Municipal Code ("SMC") section 3.68.070 provides for an exception to the competitive bidding requirements for purchases in cases where the City Council has approved findings that support and justify exceptions to the competitive bidding process; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City Council hereby approves the following findings in support of granting an exception to the competitive bidding process and award of the contract for cleaning Digesters 4 and 5 to Synagro.
   
   b. There is a significant risk of violating the City's wastewater discharge permit which could result in fines if the digesters are not cleaned and repaired as recommended by a report of the facilities conducted by the City's consultant, Eco:Logic Engineering.
   
   c. Each month the digesters are not online producing methane gas represents an expense of $130,000 in additional energy costs, so any delay in implementing this work will be very costly and would outweigh any potential cost savings that might be realized through the use of the City's normal competitive bidding process.
   
   d. The competitive bidding process will delay the start of work and increase the cost associated with disposing of the waste material in the digesters. It is in the best interest of the City to contract the work immediately and minimize construction costs.
   
   e. The contractor, Synagro, is one of a very few specialized contractors who are qualified to perform this type of specialized hazardous work.
f. Synagro is a local company that is familiar with the facility and currently mobilized onsite and is performing other work for the RWCF.

g. Synagro has subcontractors, suppliers, and vendors immediately available to provide specialty parts, materials, and equipment that would typically require months to procure.

h. The cost of the contract is consistent with the engineers' estimate and is reasonable.

2. Based on these findings and pursuant to SMC section 3.68.070, the City Council declares an exception to the competitive bidding process is justified and authorizes the City Manager, on behalf of the City of Stockton, to contract with Synagro for the Digesters 4 and 5 Cleaning project in the amount up to $1,176,150.

3. The City Manager is authorized to take such other actions as are appropriate to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED JUL 28 2009

[Signature]
ANN JOHNSTON
Mayor of the City of Stockton

[Signature]
KATHERINE GONG MEISSNER
City Clerk of the City of Stockton