

**HIGHLINE WATER DISTRICT
King County, Washington**

RESOLUTION 23-10-4A

RESOLUTION AUTHORIZING EXEMPTION OF COMPETITIVE BIDDING REQUIREMENTS OF RCW 39.04.280 FOR PURCHASING EQUIPMENT INVOLVING SINGLE SOURCE OF SUPPLY, SPECIAL FACILITIES AND MARKET CONDITIONS RELATING TO PROJECT 23-2 AND AUTHORIZING THE GENERAL MANAGER TO PURCHASE THE REPLACEMENT EQUIPMENT AT THE DES MOINES TREATMENT PLANT

WHEREAS, Highline Water District ("District") owns and operates a public water system pursuant to Title 57 Revised Code of Washington ("RCW"), including water lines, wells, pump stations and reservoirs; and

WHEREAS, by passage of the 2023 Capital Improvement Program, the Board of Commissioners approved and dedicated resources for Project 23-2 McMicken Hypochlorite Generation Replacement; and,

WHEREAS, the District owns and operates EVOQUA [formally Wallace & Tiernan] Onsite Hypochlorite Generation Units (OHG) at the Des Moines Treatment Plant (DMTP) and McMicken Treatment Plant; and

WHEREAS, the existing electrolyzer cell panel component of the OHG at McMicken is failing and nearing the end of its useful life; and

WHEREAS, in 2021, the District replaced the electrolyzer cell panel at DMTP and is currently in good condition, but is operating at maximum available capacity to support the treatment plant potentially shortening the available life span of the equipment; and

WHEREAS, as a cost saving measure, the District desires to relocate the DMTP OHG unit to the McMicken Treatment Plant thereby extending the useful life of the equipment and replace the DMTP unit with a larger sized unit; and,

WHEREAS, the District's existing support infrastructure at DMTP is designed to work seamlessly with the EVOQUA products, avoids the need to replace additional equipment adding expense and longer disruptions to operations, and District staff are familiar with and possess extensive knowledge of the EVOQUA system facilitating a smooth transition to the new equipment; and

WHEREAS, TMG Solutions, Inc is the solely supplied local representative of EVOQUA OHG systems and parts and the District requested a proposal from TMG Solutions Inc to upgrade the unit; and

WHEREAS, RCW 39.04.280(1)(a) authorizes the District to waive the competitive bidding process to purchase equipment limited to a single source of supply; and RCW 39.04.280 (1)(b) authorizes the District to waive the competitive bidding process to purchase equipment involving special facilities or market conditions; and the OHG unit is a special facility and is limited to a single source of supply; and

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WHEREAS, the District Engineer and General Manager are satisfied with the proposal from TMG Services Inc and recommends approval of this resolution.

BE IT RESOLVED by the Board of Commissioners of Highline Water District, King County, Washington, as follows:

1. The competitive bidding requirements as set forth in RCW 57.08.050 are hereby waived, pursuant to RCW 39.04.280(1)(a) and (b) for the reasons as stated above.
2. The General Manager or designee is authorized and directed to proceed with negotiation and execution of a contract to purchase of the equipment for a not to exceed amount of \$113,070.00 plus taxes as identified in Attachment A - Sole Source Approval Form.

ADOPTED BY THE BOARD OF COMMISSIONERS of Highline Water District, King County, Washington, at an open public meeting held on the **4th** day of **October 2023**.

BOARD OF COMMISSIONERS

DocuSigned by:
Daniel Johnson
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Daniel Johnson, President

DocuSigned by:
Polly Daigle
7820B600740D4ED...
Polly Daigle, Commissioner

DocuSigned by:
Vince Koester
382D4CB9438F421...
Vince Koester, Commissioner

DocuSigned by:
Kathleen Quong-Vermeire
DocuSigned by:
Todd Fultz
87280370F2E448D...
Todd Fultz, Commissioner

HIGHLINE WATER DISTRICT SINGLE SOURCE APPROVAL FORM

RCW 39.04.280 identifies several conditions that may be utilized to exempt the District from the competitive bidding requirements and allow contracting with a single source. From the following list, select the condition(s) that best describe the type of exemption being applied to the purchase:

- Purchases that are clearly and legitimately limited to a single source of supply.

Please Note: If this option is checked, the supporting memorandum must answer two questions:

- 1) Why this particular type of supply? and
- 2) Is this the **only** source for this supply?

- Purchases involving special facilities or market conditions.
- Purchases in the event of an emergency.
- Purchases of insurance or bonds.
- Public works in the event of an emergency.

“Emergency” means unforeseen circumstances beyond the control of the municipality that either: (a) present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

The following purchase:

VENDOR	SUPPLY/SERVICE	EST. COST
TMG SERVICES	SUPPLY AND INSTALL EVOQUA OSEC B-PAK 65 CHLORINE GENERATION SYSTEM AT DES MOINES TREATMENT PLANT	\$113,070.00

has met **one** or more of the above exemption conditions as identified under RCW 39.04.280.

Please attach a memorandum, of sufficient detail, justifying this purchase based on the selected condition. Request submitted by:

(Signature of Submitter)

Operations Manager
(Title of Submitter)

(Date Signed)

Approval Section:

(Department Manager Signature)

(Date Signed)

(General Manager Signature)

(Date Signed)

Note: Please include fully signed form in purchase file

MEMORANDUM

DATE: October 4, 2023
TO: Highline Water District Board of Commissioners
FROM: Phillip Hite
CC: Jeremy DelMar
SUBJECT: **SOLE SOURCE APPROVAL REQUEST**

Background information:

Highline Water District installed an Evoqua chlorine generation system (36lbs) at the McMicken Treatment Plant in 2012. The system has reached the end of its expected useful lifespan and needs to be replaced to ensure consistent water quality is maintained.

Highline Water District installed an Evoqua chlorine generation system at the Des Moines Treatment Plant (48 lbs) in 2013. It was retrofitted with new generation cells in 2021. The generation system is near the maximum capacity for the treatment plant which will shorten the life span of the system.

Highline plans to address both issues with the purchase of a new Evoqua chlorine generation system (65lbs). The new system will be installed at the Des Moines Treatment Plant and will have a larger capacity than the existing system. The existing chlorine generator at Des Moines Treatment Plant will be relocated to the McMicken Treatment Plant.

Question #1- Why use this particular product?

Highline Staff would like to continue using Evoqua chlorine generation systems:

Our existing infrastructure, including the brine tank, solution tank, and plumbing, is designed to work seamlessly with Evoqua chlorine generation systems. Replacing all components related to the chlorine generation system would result in additional expenses and longer disruptions to operations.

Highline Staff are familiar with and possess extensive knowledge of the Evoqua system, which will facilitate a smooth transition to the new equipment.

Question #2- Is there only one source of supply?

Yes, there is only one source of supply for Evoqua chlorine generation systems in the Pacific Northwest, which is TMG Solutions, the manufacturer's authorized distributor and service provider.