

RESOLUTION NO. OCSD 20-XX

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY SANITATION DISTRICT, MAKING FINDINGS PURSUANT TO PUBLIC CONTRACT CODE SECTION 3400 IN SUPPORT OF THE SOLE SOURCE SPECIFICATION OF HALLSTEN CORPORATION, MANUFACTURER OF TRUSS SUPPORTED FLAT ALUMINUM COVERS FOR A-SIDE PRIMARY CLARIFIERS REPLACEMENT AT PLANT NO. 2, PROJECT NO. P2-98A, AS PART OF PRIMARY TREATMENT REHABILITATION AT PLANT NO. 2, PROJECT NO. P2-98

WHEREAS, the Orange County Sanitation District (Sanitation District) is a duly organized County Sanitation District existing pursuant to the County Sanitation District Act, California Health and Safety Code Section 4700, et seq., providing for the ownership, operation, and maintenance of wastewater collection, treatment, and disposal facilities within Orange County, California; and

WHEREAS, Public Contract Code Section 3400 provides that local agencies may describe in the invitation for bids or request for proposals that a particular material, product, thing or service is designated by specific brand or trade name if the awarding authority, or its designee, finds that the product is designated "in order to obtain a necessary item that is only available from one source"; and

WHEREAS, Public Contract Code Section 3400 establishes that an item is available from only one source if there is not an "equal" product, meaning a product that will "function as well, in all essential respects" as the designated product; and

WHEREAS, Black and Veatch, the Sanitation District's Design Consultant is finalizing the plans and specification for the A-Side Primary Clarifiers Replacement at Plant No. 2, Contract No. P2-98A ("Project"); and

WHEREAS, the design of the Project includes a truss-supported flat cover system for four new circular primary clarifiers to capture odor; and

WHEREAS, operation of the primary clarifiers requires full access to the water surface for visual observations and sample collection; and

WHEREAS, based on extensive research, and investigation, Sanitation District staff has determined that Hallsten Corporation (Hallsten) is the only manufacturer of a truss-supported flat cover system the provides full access to the clarifier water surface using hinged covers.

NOW, THEREFORE, in consideration thereof, the Board of Directors of the Orange County Sanitation District, does hereby resolve, declare, determine, and order as follows:

Section 1: All of the recitals herein contained are true and correct.

Section 2: Hallsten is the only manufacturer that has produced a proven truss supported flat cover system meeting the Sanitation District's needs.

Section 3: The truss-support flat cover system as manufactured by Hallsten is a necessary component of the Project design and is only available from one source.

Section 4: The flat cover system as manufactured by Hallsten meeting the Sanitation District's needs shall be specified by name in the invitation for bids for the Project.

Section 5: This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting held on July 22, 2020.

David John Shawver
Board Chairman

ATTEST:

Kelly A. Lore, MMC
Clerk of the Board

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

I, Kelly A. Lore, Clerk of the Board of Directors of the Orange County Sanitation District, do hereby certify that the foregoing Resolution No. OCSD 20-XX was passed and adopted at a regular meeting of said Board on the 22nd day of July 2020, by the following vote, to wit:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Orange County Sanitation District this 22nd day of July 2020.

Kelly A. Lore, MMC
Clerk of the Board of Directors
Orange County Sanitation District