

RESOLUTION NO. 4032

**A RESOLUTION TO WAIVE COMPETITIVE BIDDING ON THE PURCHASE OF PLAYGROUND EQUIPMENT**

WHEREAS, Albany Municipal Code exempts contracts from competitive bids when there is only one seller of a product of the quality required available within a reasonable purchase area; and

WHEREAS, the Oregon Revised Statutes and Albany Municipal Code allow the Council to waive competitive bidding on finding that "It is unlikely that such exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts" [ORS 279.017(2)(c) and AMC 2.64.060(20)(a)]; and

WHEREAS, the Parks & Recreation Department desires to purchase playground equipment that meets the requirements for this particular playground for durability, ease of installation, and low maintenance.

WHEREAS, the Parks & Recreation Department has found the manufacturer of this equipment uses a plastisol coating on its railings and components, rather than the widely used paint powder coating. This plastisol coating tends to be more durable, protects against extreme temperature changes in the metal, and provides for easy gripping and traction.

WHEREAS, the Parks & Recreation Department has found the manufacturer of this equipment uses non-rusting aluminum posts, caps and clamps instead of steel posts/clamps or plastic caps. Posts also have bottom end caps to serve as a moisture barrier and assist during installation by increasing the footing area.

WHEREAS, the Parks & Recreation Department has found the manufacturer of this equipment uses solid steel on its barriers and guard rails rather than steel tubing, making the equipment more stable and durable.

WHEREAS, the Parks & Recreation Department has installed playground equipment from a number of manufacturers; and

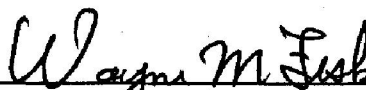
WHEREAS, only the equipment from this manufacturer met the durability, ease of installation, and low-maintenance requirements needed in this park where the play equipment will be subjected to heavier usage than in typical playground installations; and

WHEREAS, Recreation Resource of Salem, Oregon, is the only distributor of this brand of equipment in the Pacific Northwest; and

WHEREAS, the exemption of this purchase from the requirements of competitive bidding will not result in favoritism or substantially diminish competition as other brands of playground equipment will be purchased by the Albany Parks & Recreation Department for installation in other City parks.

NOW, THEREFORE, BE IT RESOLVED that the City Council, acting as the local contract review board, adopts the findings set forth above, waives the requirement for competitive bidding, and authorizes purchase of playground equipment from Recreation Resource of Salem, Oregon, not to exceed \$30,000.

DATED THIS 18th DAY OF NOVEMBER 1998.

  
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Council President

ATTEST:

  
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City Recorder