



## RESOLUTION NO. 7247

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A RESOLUTION OF THE ALBANY CITY COUNCIL, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, WAIVING COMPETITIVE BIDDING, AND AWARDING A SOLE-SOURCE CONTRACT TO FERGUSON ENTERPRISES, LLC (FERGUSON) AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE A CONTRACT WITH FERGUSON TO PROCURE SENSUS WATER METERS FOR THE DRINKING WATER DISTRIBUTION SYSTEM

WHEREAS, Oregon Revised Statutes (ORS) 279B.075 and Oregon Administrative Rule (OAR) 137-047-0275 allow the city council, acting as the local contract review board, to award a contract for goods and services without competition by sole-source procurement if it is determined that the goods or services are available from only one source; and

WHEREAS, such authorization must be based on written findings submitted by the department seeking the exception that describe the circumstances that support the use of the sole-source procurement as defined in ORS 279B.075; and

WHEREAS, Ferguson Enterprises, LLC is the sole distributor of Sensus water meters in the Pacific Northwest (Oregon, Washington, Idaho, Alaska); and

WHEREAS, the city has over 20,000 water meters in the drinking water distribution system and budgets over \$200,000 annually for water meter replacement or installation; and

WHEREAS, for efficient utilization of the existing goods, maintaining a consistent brand water meter is in the best interest of the city.

NOW, THEREFORE, BE IT RESOLVED THAT THE ALBANY CITY COUNCIL, ACTING AS THE LOCAL CONTRACT REVIEW BOARD:

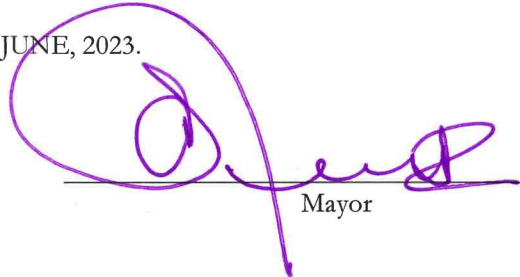
SECTION 1. Adopts the following findings:

1. Ferguson Enterprises, LLC is the sole distributor of Sensus water meters in the Pacific Northwest.
2. Procuring Sensus water meters for the drinking water distribution system would provide consistency, department efficiencies, and would be efficient utilization of existing goods.
3. The use of a sole-source procurement process is necessary to procure Sensus water meters through a contract with Ferguson Enterprises, LLC.

SECTION 2. Notwithstanding the provisions of Albany Municipal Code Section 2.66.060, the public works director is authorized and directed to use a sole-source procurement method to procure Sensus water meters from Ferguson Enterprises, LLC.

SECTION 3. The public works director is hereby directed to negotiate, award, and execute a sole-source contract with Ferguson Enterprises, LLC for Sensus water meters for five years after the City has given public notice for seven days of its intent to award a contract, per OAR 137-047-0275 and ORS 279B.075.

DATED AND EFFECTIVE THIS 28TH DAY OF JUNE, 2023.

  
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Mayor

ATTEST:

  
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City Clerk

