

# Council Business Meeting

June 1, 2021

<b>Agenda Item</b>	Approval of a Special Procurement for Wastewater Treatment Plant Liquid Polymer	
<b>From</b>	Scott Fleury David Gies	Public Works Director Wastewater Treatment Plant Supervisor
<b>Contact</b>	<a href="mailto:scott.fleury@ashland.or.us">scott.fleury@ashland.or.us</a> ; (541) 552-2412 <a href="mailto:david.gies@ashland.or.us">david.gies@ashland.or.us</a> ; (541) 552-2335	

## **SUMMARY**

This contract-specific special procurement will allow the Wastewater Treatment Plant (WWTP) Supervisor to directly award a contract to SNF Polydyne for Polydyne Clarifloc C-6286 (Liquid Polymer). The term for this Contract-specific Special Procurement will begin on July 1, 2021 and end on June 30, 2023.

## **POLICIES, PLANS & GOALS SUPPORTED**

City Council Goals:

- Maintain Essential Services – Wastewater

Department Goals:

- Maintain existing infrastructure to meet regulatory requirements and minimize life-cycle costs
- Deliver timely life cycle capital improvement projects
- Maintain and improve infrastructure that enhances the economic vitality of the community
- Evaluate all city infrastructure regarding planning management and financial resources

## **PREVIOUS COUNCIL ACTION**

The previous contract-specific special procurement was approved by the City Council on August 16, 2016 for the term that began on July 1, 2016 and will end on June 30, 2021.

## **BACKGROUND AND ADDITIONAL INFORMATION**

A special procurement is used for the purpose of seeking an exemption from the competitive bid process, custom designing a contracting approach, or the direct selection or award of a public contract or for a series of contracts. The attached Form #9 Special Procurement Request for Approval is attached for your review and consideration.

This polymer chemical is used at the WWTP to assist with the “thickening” of biosolids which removes excess water from the solids. The excess solids that are generated are in the one to two percent range and after being treated with this polymer, the solids are thickened to approximately 20 percent. Therefore, fewer loads of biosolids are hauled to Dry Creek Landfill as a result of using this polymer. The need for polymer may fluctuate from year to year or season to season based on sludge characteristics. This polymer continues to perform well and is meeting the needs of the WWTP.

## **FISCAL IMPACTS**

FY 2022	Estimate: 60,000 Lbs.	Liquid Polymer	\$1.35/Lb.	\$81,000.00
FY 2023	Estimate: 60,000 Lbs.	Liquid Polymer	\$1.43/Lb.	\$85,800.00

## **STAFF RECOMMENDATION**

Staff recommends the Contract-specific Special Procurement be approved and the public contract be directly awarded to SNF Polydyne.

**ACTIONS, OPTIONS & POTENTIAL MOTIONS**

I move to approve the public contract award to SNF Polydyne for Polydyne Clarifloc C-6286 (Liquid Polymer).

**REFERENCES & ATTACHMENTS**

Attachment 1: Form #9 Special Procurement Request for Approval

Attachment 2: SNF Polydyne Polymer Price Quotation dated April 21, 2021

**SPECIAL PROCUREMENT  
REQUEST FOR APPROVAL**

**To:** City Council, Local Contract Review Board  
**From:** David Gies, Wastewater Treatment Plant Supervisor  
**Date:** June 1, 2021  
**Subject:** REQUEST FOR APPROVAL OF A SPECIAL PROCUREMENT

In accordance with ORS279B.085, this request for approval of a Special Procurement is being presented to the City Council for approval. This written request for approval describes the proposed contracting procedure and the goods or services or the class of goods or services to be acquired through the special procurement and the circumstances that justify the use of a special procurement under the standards set forth ORS 279B.085(4).

- 1. **Requesting Department Name:** Wastewater Treatment Plant
- 2. **Department Contact Name:** David Gies
- 3. **Type of Request:**          Class Special Procurement   X   Contract-specific Special Procurement
- 4. **Time Period Requested:** From July 1, 2021 to: June 30, 2023
- 5. **Total Estimated Cost:** FY 2022 – Estimate \$81,000.00 FY 2023 – Estimate \$85,800.00

Note: The need for Polymer may fluctuate from year to year or season to season based on sludge characteristics.

6. **Short title of the Procurement:** Polydyne Clarifloc C-6286 (Liquid Polymer)

**Supplies and/or Services or class of Supplies and/or Services to be acquired:**

The chemical being acquired is Polydyne Clarifloc C-6286 (Liquid Polymer). This chemical is used at the WWTP to assist with the “thickening” of biosolids which removes excess water from the solids. The excess solids that are generated are in the 1-2% range and after being treated with this polymer, the solids are thickened to approximately 20%. Therefore, fewer loads of biosolids are hauled to Dry Creek Landfill as a result of using this polymer.

7. **Background and Proposed Contracting Procedure:** Provide a description of what has been done in the past and the proposed procedure. The Agency may, but is not required to, also include the following types of documents: Notice/Advertising, Solicitation(s), Bid/Proposal Forms(s), Contract Form(s), and any other documents or forms to be used in the proposed contracting procedure. Attach additional sheets as needed.

**Background:** Not all polymer works the same. Finding the right polymer product is done by testing the solids and doing “jar tests” to see what works best for a specific application. When the WWTP

reconstruction was complete, numerous manufacturers of polymer products were contacted and “jar tests” were performed using the different polymers. It was determined at that time that the Polydyne Clarifloc C-6286 was the best product for this application and it has been continually effective in thickening the biosolids. Previous Special Procurements for this product have been approved by the City Council on July 21, 2009, July 17, 2012, and August 16, 2016.

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**Proposed procedure:** This sourcing method - “Contract-specific Special Procurement” - is being processed to seek an exemption from a competitive bid process to “directly award” a contract to SNF Polydyne for the acquisition of Polydyne Clarifloc C-6286 (Liquid Polymer) for a term of two (2) years.

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**8. Justification for use of Special Procurement:** Describe the circumstances that justify the use of a Special Procurement. Attach relevant documentation.

“Jar tests” were performed using various polymers provided by numerous manufacturers. And, at that time, it was determined that the Polydyne Clarifloc C-6286 was the best product for this application.

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**9. Findings to Satisfy the Required Standards:** This proposed special procurement:

X (a) will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts because:

It is unlikely to diminish competition because numerous manufacturers were contacted when the “jar tests” were performed using the different polymers, and it was determined at that time, after testing various polymers, that the polymer manufactured by Polydyne was the best fit for the application.

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(Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.); **and**

(b)(i) will result in substantial cost savings to the contracting agency or to the public because:

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(Please provide the total estimate cost savings to be gained and the rationale for determining the cost savings); **or**

X (b)(ii) will otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the requirements of ORS 279B.055, 279B.060, 279B.065, or 279B.070, or any rules adopted thereunder because:

At this time, there is no need to conduct “jar tests” in search of another polymer that will perform in the same manner. The polymer being used has continued to perform well and is meeting the needs of the WWTP.

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(Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.)

**Public Notice:**

Pursuant to ORS 279B.085(5) and OAR 137-047-0285(2), a Contracting Agency shall give public notice of the Contract Review Authority's approval of a Special Procurement in the same manner as a public notice of competitive sealed Bids under ORS 279B.055(4) and OAR 137-047-0300. The public notice shall describe the Goods or Services or class of Goods or Services to be acquired through the Special Procurement and shall give such public notice of the approval of a Special Procurement at least seven (7) Days before Award of the Contract.

After the Special Procurement has been approved by the City Council, the following public notice will be posted on the City's website to allow for the seven (7) day protest period.

Date Public Notice first appeared on [www.ashland.or.us](http://www.ashland.or.us) - *[If approved, June 2, 2021]*

**PUBLIC NOTICE**  
**Approval of a Special Procurement**

**First date of publication:** *[If approved, June 2, 2021]*

A request for approval of a Special Procurement was presented to and approved by the City Council, acting as the Local Contract Review Board, on *[If approved, June 1, 2021]*.

This "Contract-specific Special Procurement" was processed to seek an exemption from a competitive bid process to directly award a contract to SNF Polydyne Inc. for the acquisition of Polydyne Clarifloc C-6286 (Liquid Polymer) for a term of two (2) years. This chemical is used at the WWTP to assist with the "thickening" of biosolids which removes excess water from the solids. The excess solids that are generated are in the 1-2% range and after being treated with this polymer, the solids are thickened to approximately 20%. Therefore, fewer loads of biosolids are hauled to Dry Creek Landfill as a result of using this polymer.

It has been determined based on written findings that the Special Procurement will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts, and result in substantial cost savings or substantially promote the public interest in a manner that could not be realized by complying with the requirements that are applicable in ORS 279B.055, 279B.060, 279B.065, or 279B.070.

An affected person may protest the request for approval of a Special Procurement in accordance with ORS 279B.400 and OAR 137-047-0300. A written protest shall be delivered to the following address: City of Ashland, David Gies, Wastewater Treatment Plant Supervisor, 90 N. Mountain Avenue, Ashland, Oregon, 97520. The seven (7) protest period will expire at 5:00pm on *[if published June 2, 2021, the date will be June 9, 2021]*.

This public notice is being published on the City's Internet World Wide Web site at least seven days prior to the award of a public contract resulting from this request for approval of a Special Procurement.

Emailed to: [david.gies@ashland.or.us](mailto:david.gies@ashland.or.us)

April 21, 2021

David Gies  
City of Ashland  
90 N. Mountain Avenue  
Ashland, OR 97520

Subject: Polymer Price Quotation

Dear Mr. Gies:

POLYDYNE INC. is pleased to offer you the following price quotation:

PRODUCT	UNIT PRICE	PACKAGE
CLARIFLOC™ C-6286	Year 1 - \$1.35*/ LB. DELIVERED Year 2 - \$1.43*/ LB. DELIVERED	2300 LB. TOTES

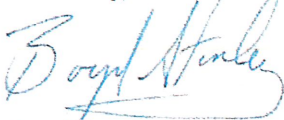
\*Freight/Tariff surcharges may apply

Quotation Period: Year 1 - July 1, 2021 thru June 30, 2022.  
Year 2 - July 1, 2022 thru June 30, 2023.

Payment Terms: Net 30 days – No Discounts.

Thank you for your business. If you have any questions regarding this quotation, please feel free to contact me at (912) 880-2055 or Jacob Cole, Technical Sales Representative, at (360) 931-5566. To place an order, please contact our Customer Service Department at (800) 848-7659.

Sincerely,



Boyd Stanley  
Sr. Vice-President