



Utilities Department

MEMO

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: STEVE POTTER, CITY MANAGER
CC: PHIL BRUN, UTILITIES DIRECTOR
DATE: July 23, 2024
SUBJECT: WRITTEN DETERMINATION TO AMEND AN EXISTING CONTRACT FOR FISCAL YEAR 2024 AND ENTER INTO A NEW CONTRACT FOR FISCAL YEAR 2025 WITH VITISYSTEMS INC., DBA CALTEST ANALYTICAL LABORATORY (CALTEST) TO PROVIDE WATER SAMPLE ANALYSES PURSUANT TO NAPA MUNICIPAL CODE SECTION 2.91.050

Per **NMC 2.91.050**, the City may enter into a contract for a "specialty item," provided that the City Manager makes a written determination of the following:

1. The project need which the City intends to satisfy through the contract for the specialty item.

The City requires specialized environmental analyses to be in compliance with the State of California's Title 22 drinking water pollutant regulations.

2. The types of property or service which are available (or used by other similarly situated private or public agencies) to meet this need (or similar needs), and the contractors which are available to provide the property or service.

Caltest is a California Water Board Environmental Laboratory Accreditation Program (ELAP)-certified laboratory, focused on providing analytical testing of drinking water according to EPA approved protocols. Caltest has been providing such services to the City for many years, with capabilities to perform required analyses within short or accelerated turnaround.

ATTACHMENT 1

The City has also utilized California Laboratory Service (CLS) equally in the past, although CLS does not currently have the analytical capabilities to perform tests for Unregulated Contaminant Monitoring Rule (UCMR 5).

- 3. The reasons why it is impracticable for a similar service to meet the City's needs (including considerations of compatibility with other City services regarding maintenance, repair, training, quality, price, or similar considerations); or why the City's needs can only be met by one unique or proprietary type of service (the specialty item).**

Caltest is located within 2.5 miles of the City's Water Treatment Plant. With such close proximity, Caltest can receive water samples within required hold times.

- 4. By entering into a contract for the specialty item from the proposed contractor, the City will meet the purpose and goals identified in NMC Section 2.91.010.**

For the reasons stated above, amending existing contract for Fiscal Year 2024 and entering into a new purchase contract for Fiscal Year 2025 with Caltest will ensure the City will meet the purpose and goals of NMC Section 2.91.010.

- 5. The contract complies with the requirements of NMC Section 2.91.030 (B).**

Pursuant to NMC Section 2.91.030(B)(2), (a) the contract will be approved as to form by the City Attorney, (b) as determined by the City Auditor, there are sufficient unencumbered funds to cover the cost of the contract, and (c) upon approval by the City Council of the recommended action for the meeting of August 6, 2024, the City Council will have delegated authority to the City Manager's designee, the Utilities Director, to approve the proposed purchase contract.