



Utilities Department

MEMO

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: STEVE POTTER, CITY MANAGER
CC: PHIL BRUN, UTILITIES DIRECTOR
DATE: July 3, 2024
SUBJECT: WRITTEN DETERMINATION TO ENTER INTO A CONTRACT WITH BRENNTAG PACIFIC, INC. FOR SODIUM HYDROXIDE 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 chemicals that are critical to the water treatment process to ensure public health and meet all drinking water regulations and ensure a reliable treatment process. The City of Napa's potable water treatment plants require a pH adjustment chemical to produce drinking water. Sodium Hydroxide is the chemical used as the pH adjustment in the water treatment process.

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.

The City participates in a chemical bid pool with surrounding agencies. Three chemical companies provided bids for Sodium Hydroxide. Univar was the lowest bid, however, the City of Napa proposes to contract with Brenntag Pacific, Inc. which came in second lowest.

- 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).**

In 2019, Univar delivered a product that did not meet potable water standards. The product supplied was contaminated during the dilution. Once discovered, the City worked with the vendor to correct the process, however, to date they have not changed their process of using non-potable water and will not guarantee the quality of the water used in the dilution process. Brenntag Pacific uses potable water for dilution.

- 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, to ensure the quality of the drinking water provided to customers, entering into a contract with Brenntag Pacific, will ensure the most cost effective result for the City and 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 July 16, 2024, the City Council will have delegated authority to the City Manager's designee, the Utilities Director, to approve the proposed purchase contract with Brenntag Pacific, Inc.