

RESOLUTION NO. 2022-

**A RESOLUTION WAIVING FORMAL WRITTEN BIDDING
REQUIREMENT ON THE BASIS OF SOLE SOURCE FOR SERVICES
PROVIDED BY PALL CORPORATION**

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) has identified a contractor to provide upgrades to the Pall Aria Membrane System’s Pneumatic Solenoid Bank Interface equipment at the Plum Creek Water Purification Facility (the “Services”); and

WHEREAS, the Town has determined Pall Corporation (the “Contractor”) is best suited to complete the Services as the Services are of a unique nature and Contractor is the sole manufacturer for the system and its components; and

WHEREAS, under the Town Procurement Code, in most instances, the Town Manager has the authority to approve contracts for the purchase of goods or procurement of services in an amount up to and including \$250,000; and

WHEREAS, an exception to this general rule, however, occurs where a contract is entered into without a competitive bidding process based upon a justification that only one known source exists or that only one single supplier can fulfill the requirements (“sole source”); and

WHEREAS, under these circumstances, Town Council must waive the requirement for formal written sealed bids on the basis of sole source for the procurement of services in excess of \$75,000; and

WHEREAS, pursuant to the Town of Castle Rock Municipal Code Section 3.02.060, Town Staff recommends Town Council waive the formal written sealed bid requirement on the basis of sole source for the Purchase in an amount of \$106,865.66.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:

Section 1. Approval. The sole source justification form is hereby approved in substantially the same form attached as *Exhibit 1*, with such technical changes, additions, modifications, or deletions as the Town Manager may approve upon consultation with the Town Attorney. The Mayor and other proper Town officials are hereby authorized to execute the Agreement by and on behalf of the Town.

PASSED, APPROVED AND ADOPTED this 6th day of September, 2022 by the Town Council of the Town of Castle Rock, Colorado, on first and final reading, by a vote of ___ for and ___ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to content:

Michael J. Hyman, Town Attorney

Mark Marlowe, Director Castle Rock Water