



Legislation Text

File #: 22-0559, Version: 1

MOTION TO APPROVE THE PURCHASE OF LABOR, MATERIALS AND REPLACEMENT OF NECESSARY EQUIPMENT FOR THE CITY'S WASTEWATER BIOSOLIDS PROCESSING PLANT INCLUDING A REPLACEMENT SODIUM CHLORITE BULK STORAGE TANK AND GAS DETECTION SAFETY EQUIPMENT FROM BCR ENVIRONMENTAL CORPORATION IN AN AMOUNT NOT TO EXCEED \$50,255.88, PURSUANT TO SECTION 35.18(C)(7)(D) OF THE CITY'S CODE OF ORDINANCES.

PROCUREMENT PROCESS TAKEN:

- *Chapter 35 of the City's Code of Ordinances is titled "PROCUREMENT PROCEDURES, PUBLIC FUNDS."*
- *Section 35.18 of the City's Code of Ordinances is titled "COMPETITIVE BIDDING OR COMPETITIVE PROPOSALS REQUIRED; EXCEPTIONS."*
- *Section 35.18(C) states that "Only the following situations are exempt from the competitive bid and competitive proposal requirements of this section:"*
- *Section 35.18(C)(7) states that "The following contractual services are not subject to the competitive procurement requirement:"*
- *Section 35.18(C)(7)(d) states that "Maintenance service and repair of equipment. When considered to be in the best interest of the city and recommended by the using department and the services to be performed are by the equipment manufacturer, manufacturer's service representative or a distributor of the manufacturer's equipment, the services may be procured without following the competitive sealed bid process;"*
- *Section 35.21 of the City's Code of Ordinances is titled "AWARD OF CONTRACT."*
- *Section 35.21(A) of the City's Code of Ordinances is titled "City Commission approval."*
- *Section 35.21(A)(1) states, "An initial purchase of, or contract for, commodities or services, in excess of \$25,000, shall require the approval of the City Commission, regardless of whether the competitive bidding or competitive proposal procedures were followed."*

SUMMARY EXPLANATION AND BACKGROUND:

1. The City owns and operates a wastewater bio-solids production facility at its wastewater treatment

plant located at 13955 Pembroke Road. This facility utilizes a proprietary process for the treatment of bio solids patented and built by BCR Environmental Services, Inc. (BCR).

2. The BCR process utilizes several different chemicals to treat the bio-solids so that they meet the state and federal standards. These chemicals require diligent monitoring and maintenance to keep up safety standards.

3. During a scheduled inspection of the BCR facility, it was noticed that one of the chemical alarms was annunciating. Upon investigation, it was determined that the sodium chlorite bulk storage tank was leaking. The Utilities Division did some temporary emergency repairs to the facility, however, they have determined that they need to replace the sodium chlorite bulk storage tank. It was also determined that additional chemical sensors were necessary.

4. On June 14, 2022, the Utilities Division received a proposal from BCR to have the Sodium Chlorite Bulk Storage tank replaced for \$39,649.44, and on July 8, 2022, the Utilities Division received a proposal from BCR to install and integrate additional Sodium Chlorite Sensors for \$10,606.44.

5. As of June 20, 2022, BCR has advised that they have applied for and obtained numerous protection under the United States Code Title 35 "Patents" for its Neutralizer® system equipment and process. A list of the relevant protections is provided as an attachment to this agenda item. As such, BCR is the only company to ever construct a Neutralizer® system and the only company with legal right to construct and deliver a Neutralizer® system in the United States. To date, there are seven Neutralizer® systems in the world that have been constructed and are operational. BCR has constructed and provided its patented technology for all seven (100%) of the Neutralizer® systems in existence. As such, BCR is the only entity with the relevant historical experience and ability to deliver a Neutralizer® system to the City of Pembroke Pines.

6. Request the City Commission to approve the purchase of labor, materials and replacement of necessary equipment for the City's wastewater bio-solids processing plant including a replacement sodium chlorite bulk storage tank and gas detection safety equipment from BCR Environmental Corporation in an amount not to exceed \$50,255.88, pursuant to Section 35.18(C)(7)(d) of the City's Code of Ordinances.

Reviewed by Commission Auditor.

FINANCIAL IMPACT DETAIL:

a) Initial Cost: \$50,255.88

b) Amount budgeted for this item in Account No.: \$50,255.88 available in account No. 471-535-6022-663000-0000-000-0000 (Improvements other than building)

- c) Source of funding for difference, if not fully budgeted:** Not Applicable.
- d) 5 year projection of the operational cost of the project:** Not Applicable.
- e) Detail of additional staff requirements:** Not Applicable.