

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION APPROVING THE PURCHASE OF MEMBRANE FILTERS FROM FILMTEC CORPORATION FOR THE DELTA WATER TREATMENT PLANT

The water treatment process at the Delta Water Treatment Plant (DWTP) was designed and constructed with advanced membrane filtration to provide high-quality drinking water for Stockton's residents and to meet all State and Federal regulations; and

Under normal operations, membrane filter replacement is part of the regular maintenance program required to keep the treatment plant in operation; and

On December 31, 2019, the Memcor product line was purchased from Evoqua Water Technologies LLC by DuPont de Nemours Inc. (DuPont) and is now operating under DuPont's FilmTec Corporation business unit; and

FilmTec Corporation is currently the only approved manufacturer of membrane filters for water treatment by the State Water Resources Control Board (SWRCB) that are the correct type and size membranes for the DWTP; and

Staff recommends the purchase of two membrane filter units from FilmTec Corporation for \$384,851.10. Installation of the membrane filters will be completed by the MUD staff; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City Council hereby approves the following findings in support of granting an exception to the competitive bidding process pursuant to Stockton Municipal Code Section 3.68.070:

- a. There are no other alternative membrane filters that meet National Sanitation Foundation standards that have been approved by the SWRCB and are the correct type and size for the DWTP membrane filter unit.
- b. Membrane filter replacement is a standard maintenance practice required to preserve the quality of the filtration treatment process and production of high-quality drinking water. If the filters are not replaced before the end of service life, the City's water production could possibly fail to meet state and federal standards.

- c. Maintaining the drinking water production system with the current type of membranes is more cost effective than replacing them, due to the supporting infrastructure, piping, structures, connections, electrical, tooling, and instrumentation in place for the existing membrane filtration system, which is in the public interest.
 - d. The membrane filtration system warranty covers material and labor costs for repairs due to defective membrane filters. The use of any membrane filter not supplied by FilmTec Corporation will void the existing warranty.
2. The City Council authorizes the procurement of membrane filters from FilmTec Corporation (formerly Evoqua Water Technologies, Inc.) in the amount of \$384,851.10, a copy of which is attached as Exhibit 1 and incorporated by this reference.
3. The City Council approves the revised Purchase Order terms and conditions, a copy of which is attached as Exhibit 2 and incorporated by this reference.
4. The City Manager or his designee is authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED October 20, 2020.

MICHAEL D. TUBBS
Mayor of the City of Stockton

ATTEST:

ELIZA R. GARZA, CMC
City Clerk of the City of Stockton