

RESOLUTION No. 12-03-2009

**A RESOLUTION OF THE SANTAQUIN CITY COUNCIL AUTHORIZING THE
NOTICE OF AWARD AND CONTRACT TO ZENON ENVIRONMENTAL
CORPORATION REGARDING SANTAQUIN CITY WATER
RECLAMATION FACILITY MEMBRANE BIOREACTOR (MBR)
EQUIPMENT PROCUREMENT**

WHEREAS, the City of Santaquin, as a municipality of the State of Utah, is authorized to provide municipal services, including the treatment and disposal of waste water; and

WHEREAS, the City has determined that the health, safety and welfare interests of the City will be best served by constructing a Membrane Bioreactor Facility (“the Facility”) for the treatment and reclamation of waste water; and

WHEREAS, the City has advertised for and on August 20, 2009, received bids for the procurement of the Membrane Bioreactor Equipment for the Facility and has examined those bids and determined that Zenon Environmental Corporation, a Michigan corporation (“Zenon”) is the bidder who meets all Pass/Fail Criteria and has the highest total Bid points as described in the Bidding Documents and

WHEREAS, Zenon has agreed to extend the time for the City to issue a Notice of Award until December 31, 2009, without an increase in the amount of the bid, but has informed the City that after that date, because of increased costs the price of the equipment will most likely increase; and

WHEREAS, the City and Zenon desire now to enter into a contract through which Zenon will provide and the City will obtain the Membrane Bioreactor Equipment for the Facility;

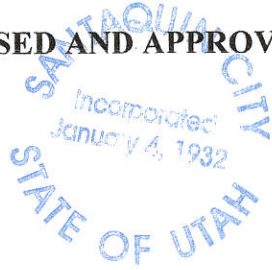
**NOW THEREFORE, BE IT RESOLVED BY THE SANTAQUIN CITY
COUNCIL THAT:**

1. The Council approves and authorizes the Mayor to execute the NOTICE OF AWARD, dated December 30, 2009, a copy of which is attached hereto as Exhibit A and incorporated herein, to Zenon.

2. The Council approves and authorizes the Mayor to execute all documents necessary to effectuate the Contract Documents as set forth in the “Invitation To Bid” and “Associated Bidding Documents” for the project, dated July 10, 2009, and prepared by JUB Engineers.

3. This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED this 23rd day of December, 2009.



James E. DeGraffenried
James E. DeGraffenried, Mayor

ATTEST:

Susan B. Farnsworth
Susan B. Farnsworth
Santaquin City Recorder

Filip Askerlund	<input type="checkbox"/>	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain
Martin Green	<input checked="" type="checkbox"/>	Yea	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain
Connie Hansen	<input type="checkbox"/>	Yea	<input type="checkbox"/>	Nay	<input checked="" type="checkbox"/>	Abstain
James Linford	<input checked="" type="checkbox"/>	Yea	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain
Brent Vincent	<input type="checkbox"/>	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain
Mayor DeGraffenried	<input checked="" type="checkbox"/>	Yea	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Abstain

Notice of Award

Dated December 23, 2009

Project: Santaquin Water Reclamation Facility Membrane Bioreactor Equipment Procurement	Owner: Santaquin City	Owner's Contract No.:
Contract: Santaquin City Water Reclamation Facility Membrane Bioreactor (MBR) Equipment Procurement		Engineer's Project No.: 50-09-016
Bidder: GE Water & Process Technologies/Zenon Environmental Corporation		
Bidder's Address: (send Certified Mail, Return Receipt Requested)		
GE Water & Process Technologies, 760 Shadowridge Drive, Vista, CA 92083		

You are notified that your Bid dated August 20, 2009 for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for Santaquin City Water Reclamation Facility Membrane Bioreactor (MBR) Equipment Procurement.

The Contract Price of your Contract is as follows:

Item 1 Special Engineering Services

Seventy nine thousand nine hundred forty five (\$79,945).

Item 2 Goods and Special Services

One million five hundred eighteen thousand nine hundred fifty five (\$1,518,955).

Item 3 Total Lump Sump Bid Price of Items 1 and 2

One million five hundred ninety eight thousand nine hundred (\$1,598,900).

Item 4 Membrane Module Price

Part	Cost Per Unit	Future Cost per Unit	Pricing Basis as described in Section 11300
Membrane Units	\$19,933	\$19,933	Indexed
Membrane Cartridge	\$1,084	\$1,084	Indexed

You must comply with the following conditions precedent within 15 days of the date you receive this Notice of Award.

1. Deliver to the Owner 3 fully executed counterparts of the Contract Documents.
2. Deliver with the executed Contract Documents the Contract security (Bonds) and Insurance as specified in the Instructions to Bidders (Article 19), and General Conditions (Article 4) and Supplementary Conditions (Paragraph SC-4.02).
3. Other conditions precedent:
Completion of negotiation of terms and conditions suitable to the Owner and Bidder.

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

Santaquin City Corporation _____

Owner

By: James E. DeGraffenried
James E. DeGraffenried

Mayor

Title

