

## **RESOLUTION NO.**

### **Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Approve A Purchase Order With Independent Utility Supply In An Amount Not To Exceed \$982,930.04 For Lumec Materials For The Lumec Streetlight LED Retrofit, Project No. EPW 106-16, CIP No. 15475015; CEQA Determination Is Exempt Pursuant To 15301(c).**

**WHEREAS**, the Capital Improvement Program adopted by the City Council in June 2014 includes funding for the Lumec Streetlight Pole Painting and LED Retrofit, CIP No. 15475015 ("Project"); and

**WHEREAS**, to increase quality control and efficient management of the Project, the LED retrofit of the streetlights will be completed as a separate Project, before the streetlight poles are painted; and

**WHEREAS**, this Project includes the retrofit of existing Lumec streetlights throughout the City of Emeryville to upgrade the existing 100-, 175-, and 250-watt metal halide fixtures to 65-watt LED fixtures; and

**WHEREAS**, Section 3-6.02 provides that the purchase of supplies are exempt from bidding requirements in the supplies are available from a single source; and

**WHEREAS**, Associated Lighting Representatives (ALR) is the only local sales representative for Lumec branded supplies for the area; and

**WHEREAS**, in light of the quantity of supplies being purchased, ALR has negotiated a discounted price with their distributor, Independent Utility Supply, in an amount not to exceed \$982,930.04 and will furnish them to the contractor awarded the contract for the Project to avoid additional markups and minimize project costs; and

**WHEREAS**, by the City purchasing the supplies directly and furnishing them to the contractor, the City will avoid additional mark ups on the supplies, which minimizes the Project's costs; and

**WHEREAS**, the public interest would not be served by public bidding of said Project; and

**WHEREAS**, funding appropriated for the Lumec Streetlight Pole Painting and LED Retrofit, CIP No. 15475015, is sufficient to cover the above costs associated with the project; and now therefore, be it

**RESOLVED**, said Project is determined to be exempt under categorical exemption Class 1 Existing Facilities, State CEQA Guidelines Section 15301(c); and further be it

**RESOLVED**, that in light of the foregoing recitals, which are true and correct and incorporated by reference, the City Council of the City of Emeryville authorizes the City Manager to approve a purchase order with Independent Utility Supply through ALR in an amount not to exceed \$982,930.04 for the Lumec materials for the Lumec Streetlight LED Retrofit, Project No. EPW 106-16, CIP No. 15475015.

**ADOPTED**, by the City Council of the City of Emeryville at a regular meeting held Tuesday, September 6, 2016 by the following vote:

**AYES:**  
**NAYES:**  
**ABSTAIN:**  
**ABSENT:**

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**MAYOR**

**ATTEST:**

**APPROVED AS TO FORM:**

A handwritten signature in blue ink, appearing to read "Michael Guindon", is written over a horizontal line.

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**CITY CLERK**

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**CITY ATTORNEY**