

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENDALE,  
CALIFORNIA, DISPENSING WITH COMPETITIVE BIDDING, AND AUTHORIZING  
THE GENERAL MANAGER OF GLENDALE WATER & POWER OR HIS DESIGNEE  
TO DIRECTLY NEGOTIATE WITH ARB, INC. TOWARD A CONTRACT FOR THE  
BALANCE OF SITE ENGINEER, PROCURE AND CONSTRUCT (EPC) EFFORT FOR  
THE GRAYSON REPOWERING PROJECT**

**WHEREAS**, on August 16, 2022, the City Council adopted Resolution No. 22-127 authorizing the General Manager of Glendale Water & Power Department (GWP) to utilize an alternative project delivery method pursuant to Glendale Municipal Code, 1995 (GMC) Chapter 4.13, for the engineering, procurement and construction (EPC) of the Balance of Site (BOS), via Resolution No. 18-205, for the Grayson Repowering Project (Project); and

**WHEREAS**, on January 12, 2023, GWP issued the Grayson Repowering Project BOS EPC Request For Proposals (RFP) – Specification No. 3646; and

**WHEREAS**, the BOS EPC RFP was posted on the City's website on eBidboard.com, as well as emailed to twenty-one contractors by GWP; and

**WHEREAS**, on February 23, 2023 a mandatory pre-proposal conference was held with a total of twelve different contractors and vendors, and two general contractors attending; and

**WHEREAS**, GWP, after receiving comments from the general contractors regarding the RFP and their reluctance to submit proposals due to the required minimum qualifications, cancelled the RFP in order to revise the minimum qualifications requirement to encourage broader participation; and

**WHEREAS**, on March 7, 2023, GWP issued the revised RFP – Specification No. 3646R – which was again posted on the City's website, eBidboard.com and emailed to thirty companies inclusive of those who were notified of the original BOS EPC RFP and the attendees at the February 23, 2023 meeting; and

**WHEREAS**, on April 18, 2023 a mandatory pre-proposal conference was held with a total of six different companies and one general contractor attending; and

**WHEREAS**, on May 2, 2023, in accordance with the BOS EPC RFP instructions only one company – ARB, Inc. (ARB) – submitted its minimum qualifications in advance of the proposal deadline; and

**WHEREAS**, GWP staff has reviewed the qualifications information submitted by ARB and finds ARB qualified to act as the BOS EPC contractor; and

**WHEREAS**, the General Manager of GWP recommends negotiating directly with ARB towards an EPC contract and reporting back to the City Council once negotiations are completed for City Council's further consideration and direction; and

**WHEREAS**, Glendale City Charter, Article VI, Section 9, provides an exemption to competitive bidding where the Council determines it is in the best interest of the City to dispense with competitive bidding; and

**WHEREAS**, given the background described above for the BOS EPC RFP, and the need to avoid further delays, it appears that adequate justification exists and it is in the City's best interest – upon recommendation of the General Manager of GWP in the Report Dated June 6, 2023 – to dispense with competitive bidding, and authorize the General Manager of GWP or his designee to negotiate directly with ARB towards a contract for the Grayson Repowering Project BOS EPC, and return to the City Council with the results of the negotiation for further consideration.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE:**

**Section 1:** The foregoing facts are deemed to be true and correct, and are a basis for dispensing with competitive bidding, and authorizing the direct negotiation with ARB, Inc. (ARB).

**Section 2:** The Council hereby dispenses with competitive bidding and authorizes the General Manager of Glendale Water & Power (GWP), or his designee, to negotiate directly with ARB for a Grayson Repowering Project BOS EPC contract.

**Section 3:** The Council directs the General Manager of GWP to report back to the City Council upon the conclusion of the negotiations for Council's further consideration of the negotiated contract and determination relating to the award of an EPC contract.

Adopted by the Council of the City of Glendale on this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA ) SS.  
COUNTY OF LOS ANGELES )

I, Suzie Abajian PhD, City Clerk of the City of Glendale, hereby certify that the foregoing Resolution No. \_\_\_\_\_ was adopted by a majority vote of the Council of the City of Glendale, California, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, and that the same was adopted by the following vote:

Ayes:

Noes:

Absent:

Abstain:

\_\_\_\_\_  
City Clerk