

**RESOLUTION OF THE CITY OF WAUSAU COMMON
COUNCIL**

Authorizing the Noncompetitive Procurement Process for the PFAS Removal Pilot Study and Alternate Temporary Drinking Water Supply, establishing the Coronavirus State and Local Fiscal Recovery Funds Eligible Use and Establishing the Related Budget

Committee Action: NA

Fiscal Impact: \$390,375

File Number: 22-0306

Date Introduced: March 14, 2022

FISCAL IMPACT SUMMARY

COSTS	<i>Budget Neutral</i>	Yes ☐ No ☒	
	<i>Included in Budget:</i>	Yes ☐ No ☒	<i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes ☒ No ☐	<i>Amount: \$390,375</i>
	<i>Recurring Costs:</i>	Yes ☐ No ☐	<i>Amount:</i>
SOURCE	<i>Fee Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes ☒ No ☐	<i>Amount: \$390,375 funded through ARPA</i>
	<i>Debt Financed:</i>	Yes ☐ No ☐	<i>Amount: Annual Retirement</i>
	<i>TID Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>TID Source: Increment Revenue ☐ Debt ☐ Funds on Hand ☐ Interfund Loan ☐</i>		

RESOLUTION

WHEREAS, on March 8th, 2022 the Common Council authorized initiatives to conduct a pilot study to reduce PFAS levels in the City’s drinking water supply and provide funding for temporary alternate drinking water to provide to the system consumers due to the Drinking Water Advisory (“DWA”) required by the Wisconsin Department of Natural Resources (“WDNR”); and

WHEREAS, on March 8th, 2022 the Common Council authorized and budgeted \$240,375 for professional engineering services and related testing expenses for the PFAS removal pilot study at the new Drinking Water Treatment Facility (“DWTF”) set to open in the summer of 2022; and

WHEREAS, on March 8th, 2022 the Common Council approved a Continuing Professional Services Agreement and Task Order 1 and 2 with Donohue to perform the duties related to the PFAS removal pilot study; and

WHEREAS, the Common Council approved this non-competitive procurement process due to the urgent and immediate need to reduce the PFAS levels in our public drinking water; and

WHEREAS, the Common Council acknowledges that Donohue and Associates was retained as the engineer of record for the new DWTF after the City completed a competitive professional services procurement process and recognizes the unique knowledge and experience Donohue and Associates has gained as the engineer of record; and

WHEREAS, the Common Council acknowledges the COVID supply chain issues impacting product deliveries and the urgency required to provide safe drinking water to the residents; and

WHEREAS, construction of the new DWTF is being funded by the EPA’s Drinking Water State Revolving Fund; and

WHEREAS, on March 8th, 2022 the Common Council authorized and budgeted to finance the activities outlined above with American Recovery Coronavirus State and Local Fiscal Recovery Funds; and

WHEREAS, the American Recovery Coronavirus State and Local Fiscal Recovery Funds program follows the procurement standards established in the Code of Federal Regulations 2 CFR Part 200.320; and

WHEREAS, these standards outline specific circumstances in which noncompetitive procurement can be used including, “the public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation”; and

WHEREAS, on March 8th, 2022 the Common Council authorized and budgeted \$150,000 for the purchase of bottled water and counter top filtration for City residents to provide immediate response to the DWA; and

WHEREAS, staff have secured quotes for bottled water and counter top filtration and selection will be determined based on product filtering and certification specifications, product availability, price and delivery schedules. With the urgent need and demand of the residents as the key decision driver;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Wausau hereby deems the noncompetitive procurement of services and products related to the PFAS removal pilot study and temporary alternate drinking water supplies as meeting the public exigency or emergency circumstances outlined 2 CFR 200.320, methods of procurement; and

BE IT FURTHER RESOLVED that the Common Council of the City of Wausau classifies the activities related to the PFAS removal pilot study to the Coronavirus State and Local Fiscal Recovery Funds Program eligible use category: “Invest in water sewer and broadband infrastructure”; and

BE IT FURTHER RESOLVED that the Common Council of the City of Wausau classifies the activities related to the purchase of bottled water and countertop filters to the Coronavirus State and Local Fiscal Recovery Funds Program eligible use category: “Investments in Government Services – Revenue Loss”; and

BE IT FURTHER RESOLVED, that the Common Council of the City of Wausau establishes the budget as follows:

ARPA - SLFR Revenues	158-158082390	\$390,375
Lost Public Sector Revenue – Resident Emergency Water Supply	158-158793390	\$150,000
Investment in Water Infrastructure	158-158892190	\$240,375

Approved:

Katie Rosenberg, Mayor