



City of Fayetteville, Arkansas

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Legislation Text

File #: 2024-130

WHITING SYSTEMS INC. (PURCHASE AGREEMENT):

A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF VEHICLE WASH CHEMICALS FROM WHITING SYSTEMS INC. ON AN AS-NEEDED BASIS THROUGH MAY 15, 2026

WHEREAS, on April 6, 2021, the City Council approved Resolution 107-21 and authorized the purchase of Car Wash Chemicals from Whiting Systems Inc. because the use of the chemicals not made and sold by Whiting Systems Inc. would void the Fleet Division car wash warranty; and

WHEREAS, Whiting Systems, Inc. has agreed to extend the warranty for an additional two years and the Fleet Division will be required to purchase Whiting Systems products through May 15, 2026, to keep the warranty.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines an exceptional situation exists in which competitive bidding is deemed not feasible or practical and therefore waives the requirements of formal competitive bidding and authorizes the purchase of vehicle wash chemicals from Whiting Systems Inc. on an as-needed basis for the duration of the car and truck wash extended warranty through May 15, 2026.



MEETING OF JUNE 4, 2024

TO: Mayor Jordan and City Council
THRU: Terry Gulley, Asst Public Works Director - Ops
FROM: Ross Jackson, Jr., Fleet Operations Superintendent
SUBJECT: **WHITING SYSTEMS INC. (PURCHASE AGREEMENT):**

RECOMMENDATION:

A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND PURCHASE VEHICLE WASH CHEMICALS FROM THE SUPPLIER, WHITING SYSTEMS INC. FOR THE DURATION OF THE CAR AND TRUCK WASH EXTENDED WARRANTY THROUGH 05/15/2026 WITH ANY ADDITIONAL EXTENDED WARRANTIES PROVIDED.

BACKGROUND:

The City Council approved the purchase of Car Wash Chemicals from Whiting Systems Inc. in April of 2021 in Resolution 107-21. After going through the Houston - Galveston Area Council (HGAC), we were notified that the chemicals were unpublished items and could not be more than 25% of the base total price of the order. The use of the chemicals not made and sold by Whiting Systems, Inc. will void the warranty which began March 16, 2021 and will continue now through May 15, 2026.

DISCUSSION:

Whiting Systems, Inc. provided the City with written notification that not only will the warranty be affected by the use of another manufacturers chemicals, but that they would extend the warranty for an additional two years, now totaling a 60-month warranty period. Staff requests authority to purchase in various quantities vehicle wash chemicals within our approved annual operating budget for the duration of the car wash warranty through March 15, 2026.

BUDGET/STAFF IMPACT:

Funds for the acquisition of car wash chemicals have been budgeted in Fleets annual operating budget.

ATTACHMENTS: SRF (#3), City of Fayetteville Truck Wash-Extended Warranty (#4), Whiting-Systems (#5), Amendment 1-Whiting Systems, Inc (#6), Amendment 2 contract extension FL03-21-Whiting Systems, Inc (#7), Amendment 3 contract extension-Whiting Systems, Inc (#8), Ordinance 6458 (#9)