

COMMITTEE ACTION SHEET

COUNCIL DOCKET OF _____

Supplemental Adoption Consent Unanimous Consent Rules Committee Consultant Review

R -

O -

Approval of Supplies and Services for Solution Mannich Polymer (Clarifloc WE-453) – Polydyne, Inc.

Reviewed Initiated By NR&C On 11/14/07 Item No. 1a

RECOMMENDATION TO:

Approve

VOTED YEA: Frye, Faulconer, Maienschein

VOTED NAY:

NOT PRESENT: Hueso

CITY CLERK: Please reference the following reports on the City Council Docket:

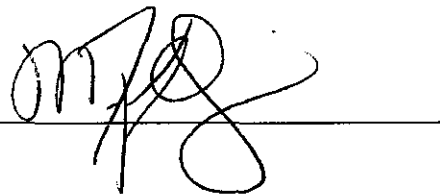
REPORT TO THE CITY COUNCIL NO.

COUNCIL COMMITTEE CONSULTANT ANALYSIS NO.

OTHER:

Metropolitan Wastewater Department's August 31, 2007, Executive Summary Sheet

COUNCIL COMMITTEE CONSULTANT



EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED:	August 31, 2007	REPORT NO.:
ATTENTION:	Council President and City Council	
ORIGINATING DEPARTMENT:	Metropolitan Wastewater Department (MWWD)	
SUBJECT:	Mannich Polymer	
COUNCIL DISTRICT(S):	6	
STAFF CONTACT:	Lori Vereker (858) 614-4539	

REQUESTED ACTION:

It is requested that you approve Sole Source Number 1568 for the procurement of chemical supplies for Solution Mannich Polymer (Clarifloc WE-453), from the vendor Polydyne, Incorporated, for a period of one (1) year from date of award, with options to renew for four (4) additional one (1) year periods. This request is for the not-to-exceed amount of \$1,200,000 for the initial twelve months.

STAFF RECOMMENDATION:

Approve requested action.

EXECUTIVE SUMMARY:

Compliance with the Point Loma Wastewater Treatment Plant (PLWTP) National Pollutant Discharge Elimination System (NPDES) permit is dependent upon the use of Mannich Polymer as a flocculent in the biosolids dewatering process at the Metro Biosolids Center (MBC).

Polydyne Inc. is currently supplying Mannich Polymer under a six month Sole Source Procurement Authorization (#1471) which became necessary due to difficulties experienced during the sludge dewatering polymer evaluation conducted in July 2006. This Sole Source Procurement Authorization expired on June 30, 2007.

On February 1, 2007, the polymer vendor community was invited to participate in a new Mannich Polymer evaluation at MBC. While there are numerous vendors and manufacturers of Mannich Polymer, Polydyne Inc. is the only vendor with production facilities located in Southern California. As a result of this geographic advantage, all other manufacturers of Mannich Polymer declined to take part in the evaluation which has resulted in Polydyne being the only responsive vendor for supplying MBC with Mannich Polymer. The delivered price is \$1.69 per active pound in a 4% concentration, or \$0.0676 per pound solution, or about \$0.6075 per gallon, including tax, for up to 1,975,382 gallons per year.

FISCAL CONSIDERATIONS:

The not-to-exceed amount of \$1,200,000 for the first year is available in the MWWD operating budget, Sewer Fund 41508. This action is funded from the sewer revenue rates only.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

This action will be reviewed by the Natural Resources and Culture Committee on ~~October 24,~~ ^{NOVEMBER 14,} 2007.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

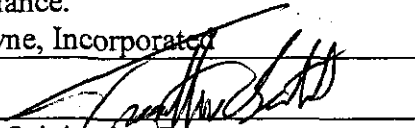
None.

001528

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Citizens of San Diego and the Participating Agencies who are impacted by costs of sewage treatment permit compliance.

Polydyne, Incorporated


Originating Department
Deputy Chief/Chief Operating Officer



THE CITY OF SAN DIEGO
MAYOR JERRY SANDERS

M E M O R A N D U M

DATE: November 7, 2007

TO: Tammy Rimes, Purchasing Agent, Purchasing and Contracting Department

FROM: Timothy C. Bertch, Ph.D, Metropolitan Wastewater Director, MS 901A
via R. F. Haas, Deputy Chief of Public Works, MS 9B

SUBJECT: Procurement Authorization with Polydyne Incorporated for the amount of
\$1,200,000 (revision to sole source memo dated March 23, 2007)

REFERENCE: San Diego Municipal Code Section 22.3212 and 22.3037

The Wastewater Treatment & Disposal Division of the Metropolitan Wastewater Department requests authorization of the subject vendor for procurement of Mannich polymer for the Metropolitan Biosolids Center (MBC). Compliance with the Point Loma Wastewater Treatment Plant (PLWTP) National Pollutant Discharge Elimination System (NPDES) permit is dependent upon the use of Mannich polymer in the biosolids dewatering process at the Metropolitan Biosolids Center (MBC). Utilization of the subject product is absolutely necessary to ensure that the MBC achieves its core function.

Polydyne, Inc. was supplying Mannich polymer for use as a flocculent in the biosolids thickening and dewatering process at the MBC via a purchase agreement from December 1, 2002 thru November 30, 2006. Polydyne Inc. is currently supplying Mannich polymer under a six month Sole Source Procurement Authorization (#1471) which became necessary due to difficulties experienced during the sludge dewatering polymer evaluation conducted in July 2006. This Sole Source Procurement Authorization expired on June 30, 2007.

On February 1, 2007, the polymer vendor community was invited to participate in a new Mannich polymer evaluation at MBC. While there are numerous vendors and manufacturers of Mannich polymer, Polydyne Inc. is the only vendor with production facilities located in Southern California. As a result of this geographic advantage, all other manufacturers of Mannich polymer declined to take part in the evaluation which has resulted in Polydyne being the only responsive vendor for supplying MBC with Mannich polymer.


Page 2
Tammy Rimes
November 7, 2007

Attachment "A" provides actual MBC biosolids processing data for the last 12-months. As Polydyne Inc. was the polymer supplier during this period, the data demonstrates that this polymer product meets the specifications established for the polymer evaluation.

Polydyne Inc. has agreed to supply MBC with Mannich polymer for the price of \$1.69 per active pound during the first year of the Purchase Agreement.

Therefore, it is requested that the City enter into a one (1) year Purchase Agreement with Polydyne, Inc. with four (4) one (1) year renewal option periods. The total cost of the Mannich polymer for the period from July 1, 2007 to June 30, 2008 is estimated to be \$1,200,000.

It is requested that you approve the procurement of these parts from July 1, 2007 – June 30, 2007 for \$1,200,000 on a sole source basis from Midwest Associates under San Diego Municipal Code Section 22.3212 and 22.3037 which reads in part, "*The Contracts listed in Section 22.3212 (a)-(g) are not required to be competitively bid: (d) A contract that is available from a Sole Source only, if, in advance of the Contract, the City Manager certifies in writing in accordance with section 22.3037 the Sole Source status of the provider.*"


Timothy C. Bertch, Ph.D.
Metropolitan Wastewater, Director

 LV/rs

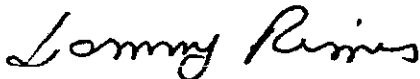
cc: Robert Ferrier, Assistant Director, MS 901A
Alice Thomas, Administrative Aide II, MS 901A

001531

CITY OF SAN DIEGO
M E M O R A N D U M

DATE: April 10, 2007
TO: Timothy C. Bertch, Ph.D., Metropolitan Wastewater Director
FROM: Tammy Rimes, Purchasing Agent
SUBJECT: Sole Source Request for Procurement Authorization with Polydyne Incorporated for the amount of \$1,090,000.

Your Sole Source Request for the above subject with Polydyne, Inc. was approved and is valid through 04/15/2012. In order for a Purchase Order to be issued, your department has to submit a purchase requisition. In the internal header notes of the requisition, please reference Sole Source Case Number 1568. For questions, please contact Karan Wolff, C.P.M. at x67131.



Tammy Rimes
Purchasing Agent

TR/mw

cc: Robert Ferrier, Assistant Director, MS 901A
Lori Vereker, Deputy Director, MS 901A
Jesse Pagliaro, Assistant Deputy Director, MS 903
Alice Thomas, Administrative Aide II, MS 901A

CITY OF SAN DIEGO
M E M O R A N D U M

DATE: March 23, 2007

TO: Tammy Rimes, Purchasing Agent, Purchasing and Contracting Department

FROM: Timothy C. Bertch, Ph.D, Metropolitan Wastewater Director, MS 901A
via R. F. Haas, Deputy Chief of Public Works, MS 9B

SUBJECT: Procurement Authorization with Polydyne Incorporated for the amount of
\$1,090,000.

The Operations & Maintenance Division of the Metropolitan Wastewater Department requests authorization of the subject vendor for procurement of Mannich polymer for the Metropolitan Biosolids Center (MBC). Compliance with the Point Loma Wastewater Treatment Plant (PLWTP) National Pollutant Discharge Elimination System (NPDES) permit is dependent upon the use of Mannich polymer in the biosolids dewatering process at the Metropolitan Biosolids Center (MBC). Utilization of the subject product is absolutely necessary to ensure that the MBC achieves its core function.

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Page 2
Tammy Rimes
March 23, 2007

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It is requested that you approve the procurement of Mannich polymer for the amount of \$1,090,000 on a sole source basis from Polydyne, Inc. under San Diego Municipal Code Section 22.3212 and 22.3037 (copy attached) which reads in part, "*The Contracts listed in Section 22.3212 (a)-(g) are not required to be competitively bid: (d) A contract that is available from a Sole Source only, if, in advance of the Contract, the City Manager certifies in writing in accordance with section 22.3037 the Sole Source status of the provider.*".

Timothy C. Bertch, Ph.D
Metropolitan Wastewater, Director

LV:jp

Attachment: Attachment "A"

cc: Robert Ferrier, Assistant Director, MS 901A
Lori Vereker, Deputy Director, MS 901A
Jesse Pagliaro, Assistant Deputy Director, MS 903
Alice Thomas, Administrative Aide II, MS 901A

ATTACHMENT "A"

METROPOLITAN BIOSOLIDS CENTER
12-MONTH DEWATERING PERFORMANCE

DATE	POLYMER USAGE (gallons)	BIOSOLIDS PRODUCED (wet tons)	SOLIDS CONTENT (%)	BIOSOLIDS PRODUCED (dry tons)
March-06	158,344	10,142	30	3,001
April-06	143,969	8,688	30	2,593
May-06	148,247	9,632	29	2,837
June-06	143,895	8,937	31	2,738
July-06	139,924	8,062	30	2,410
August-06	146,440	10,292	29	2,974
September-06	147,314	9,787	29	2,824
October-06	188,541	10,694	29	3,142
November-06	148,799	11,196	30	3,307
December-06	163,786	10,480	29	3,050
January-07	148,863	11,162	29	3,285
February-07	125,617	9,598	29	2,778
TOTALS	1,803,739	118,670		34,939
AVERAGE			29.5	

Polymer evaluation specification: Minimum solids content 29
Maximum solids content 34

001537

DOCKET SUPPORTING INFORMATION
CITY OF SAN DIEGO

DATE: 01/08
102

EQUAL OPPORTUNITY CONTRACTING PROGRAM EVALUATION

October 15, 2007

SUBJECT: Approval of Supplies and Services for Solution Mannich Polymer (Clarifloc WE-453) Polydyne, Inc.

GENERAL CONTRACT INFORMATION

Amount of this Action: \$1,200,000

Recommended Consultant: Polydyne, Inc.

Funding Source: City

SUBCONSULTANT PARTICIPATION

No Subconsultant participation on this action.

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE

Equal Opportunity Required

Poydyne, Inc. submitted a Work Force Report for their San Diego County employees dated October 4, 2007. The Work Force Report reflects fewer than 15 employees and is, therefore, exempt from employment category goals.

ADDITIONAL COMMENTS

The *Work Force Analysis* is attached.

JLR

File: Admin WOFO 2000
 Date WOFO Submitted: 10/4/2007
 Input by: jl

Goals reflect statistical labor force availability for the following: 2000 CLFA San Diego, CA

City of San Diego/Equal Opportunity Contracting
WORK FORCE ANALYSIS REPORT

FOR
 Company: Polydyr

I. TOTAL WORK FORCE:

	Black		Hispanic		Asian		American Indian		Filipino		White		Other								
	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F						
Mgmt & Financial Professional	3.3%	0	0	11.9%	0	0	6.2%	0	0	0.4%	0	0	6.2%	0	0	2	0	0	0	0	
A&E, Science, Computer Technical	4.0%	0	0	12.6%	0	0	6.5%	0	0	0.5%	0	0	6.5%	0	0	0	0	0	0	0	
Sales	2.8%	0	0	7.3%	0	0	16.2%	0	0	0.3%	0	0	16.2%	0	0	0	0	0	0	0	
Administrative Support Services	6.6%	0	0	14.8%	0	0	17.2%	0	0	0.4%	0	0	17.2%	0	0	0	0	0	0	0	
Crafts	3.9%	0	0	19.5%	0	0	6.8%	0	0	0.6%	0	0	6.8%	0	0	0	2	0	0	0	
Operative Workers	7.0%	0	0	20.8%	0	0	8.8%	0	0	0.6%	0	0	8.8%	0	0	0	2	0	0	0	
Transportation Laborers	5.5%	0	0	36.9%	0	0	9.7%	0	0	0.6%	0	0	9.7%	0	0	0	0	0	0	0	
	4.5%	0	0	25.8%	0	0	9.1%	0	0	0.7%	0	0	9.1%	0	0	0	0	0	0	0	
	4.3%	0	0	38.8%	0	0	20.8%	0	0	0.3%	0	0	20.8%	0	0	0	0	0	0	0	
	8.1%	0	0	32.1%	0	0	4.5%	0	0	0.5%	0	0	4.5%	0	0	0	0	0	0	0	
	4.4%	0	0	54.0%	0	0	4.1%	0	0	0.5%	0	0	4.1%	0	0	0	0	0	0	0	
TOTAL		0	1		1	0		0	0		0	0		0	0		2	4		0	0

HOW TO READ TOTAL WORK FORCE SECTION:

The information blocks in Section 1 (Total Work Force) identify the absolute number of the firm's employees. Each employee is listed in their respective ethnic/gender and employment category. The percentages listed under the heading of "CLFA Goals" are the County Labor Force Availability goals for each employment and ethnic/gender category.

Mgmt & Financial Professional
 A&E, Science, Computer Technical
 Sales
 Administrative Support Services
 Crafts
 Operative Workers
 Transportation Laborers

TOTAL

	TOTAL EMPLOYEES			Female Goals
	ALL	M	F	
Mgmt & Financial Professional	2	2	0	39.8%
A&E, Science, Computer Technical	0	0	0	59.5%
Sales	0	0	0	22.3%
Administrative Support Services	4	0	3	49.0%
Crafts	0	0	0	49.4%
Operative Workers	2	0	2	73.2%
Transportation Laborers	0	0	0	62.3%
	0	0	0	8.6%
	0	0	0	36.7%
	0	0	0	15.2%
	0	0	0	11.1%
TOTAL	8	3	5	

HOW TO READ EMPLOYMENT ANALYSIS SECTION:

The percentages listed in the goals column are calculated by multiplying the CLFA goals by the number of employees in that job category. The number in that column represents the percentage of each protected group that should be employed by the firm to meet the CLFA goal. A negative number will be shown in the discrepancy column for each underrepresented goal of at least 1.00 position.

II. EMPLOYMENT ANALYSIS

This firm has fewer than 15 employees and is, therefore, exempt from the employment category goals.

REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

1. CERTIFICATE NUMBER
(FOR AUDITOR'S USE ONLY)
2800372

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):
METROPOLITAN WASTEWATER DEPARTMENT

3. DATE:
August 31, 2007

4. SUBJECT:
Approval of Supplies and Services for Solution Mannich Polymer (Clarifloc WE-453)- Polydyne, Inc.

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)
LORI VEREKER (858) 614-4539 MS 901A

6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.)
K.C. SHANKLES (619) 221-8728 MS 45

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	41508		
DEPT.	771		
ORGANIZATION	310		
OBJECT ACCOUNT	3221		
JOB ORDER	2311		
C.I.P. NUMBER			
AMOUNT	\$1,200,000		

9. ADDITIONAL INFORMATION / ESTIMATED COST:

This request: *[Handwritten mark]*
\$1,200,000

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT.	<i>[Signature]</i>	10/16/07	8	DEPUTY CHIEF	<i>[Signature]</i>	11-8-07
2	E.O.C.	<i>R. Lewis for Cg.</i>	10-16-07	9	C.O.O.	<i>[Signature]</i>	11-8-07
3	PURCHASING AND CONTRACTING	<i>Larry Pils</i>	10/18/07	10	CITY ATTORNEY	<i>[Signature]</i>	11/21/07
4	E.A.S.	<i>Kenneth Teasley</i>	10/18/07	11	ORIG. DEPT.	<i>[Signature]</i>	11/21/07
5	LIAISON OFFICE			DOCKET COORD: <i>[Signature]</i> COUNCIL LIAISON		<i>[Signature]</i>	11/21/07
6	F.M.	<i>[Signature]</i>	11/5/07	COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION			
7	AUDITOR	<i>[Signature]</i>	11/8/07	COUNCIL DATE: 1/8/08			

11. PREPARATION OF: RESOLUTIONS ORDINANCE(S) AGREEMENT(S) DEED(S)

Approving Sole Source Number 1568 for the procurement of chemical supplies for Mannich Polymer, from the vendor Polydyne, Incorporated, for a period of one (1) year from date of award, with options to renew for four (4) additional one (1) year periods. This request is for an amount not-to-exceed \$1,200,000 in its first year from the Metropolitan Wastewater Fund 41508, Dept. 771.

11A. STAFF RECOMMENDATIONS:
Approve the Resolution.

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT: 6

COMMUNITY AREA(S): Clairemont/Kearny Mesa

ENVIRONMENTAL IMPACT: This activity is not a "project" and is therefore not subject to CEQA pursuant to State CEQA Guidelines Section 15060 (c) (3).

ATTACHMENTS: Sole Source Number 1471

CITY CLERK INSTRUCTIONS: Please forward two copies of the Resolution to MWWD, MS 901A, Attn: Rose Salarda.

2800372

001541

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 2800372

ORIGINATING

DEPT. NO.:

771

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: _____
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$1,200,000.00

Vendor: Polydyne, Incorporated

Purpose: Authorizing the expenditure of funds for the procurement of chemical supplies for Mannich Polymer (Clarifloc WE-453).

Date: November 7, 2007 By: _____
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	41508	771	310	3221	002311				\$1,200,000.00
TOTAL AMOUNT										\$1,200,000.00

FUND OVERRIDE

RESOLUTION NUMBER R-_____

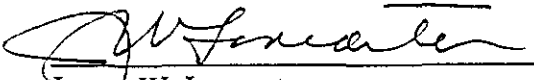
DATE OF FINAL PASSAGE _____

A RESOLUTION AUTHORIZING THE PURCHASE OF MANNICH
POLYMER FOR THE METROPOLITAN WASTEWATER DEPARTMENT
FROM POLYDYNE, INC.

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That City of San Diego Sole Source No. 1568 for the purchase of Mannich Polymer from Polydyne, Inc. over an initial period of one year at the rate of \$1.69 per pound, with the option to renew for four additional one year periods, is approved in an amount not-to-exceed \$1,200,000 for the first year; and approved for the option years subject to a price escalation of not-to-exceed 5% per year over the then current unit prices and provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer for the option years.
2. That the expenditure of an amount not to exceed \$1,200,000 from Metropolitan Wastewater Fund No. 500313, Dept. 771 is authorized for the first year's purchase.
3. That the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to appropriate reserves.
4. That the above activity is not a project and therefore is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
James W. Lancaster
Deputy City Attorney

JWL:ca
11/14/2007
Aud. Cert.: AC 2800372
Or.Dept: MWWD
R-2008-431

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

001545



CITY OF SAN DIEGO

PURCHASING DIVISION
1200 Third Avenue, Suite 200
San Diego, CA 92101-4195

Bid No. 9180-08-C

REQUEST FOR BID

Closing Date: November 26, 2007

Subject: Furnish the City of San Diego with Mannich Polymer, as may be required for a period of one (1) year from date of award, with options to renew for four (4) additional one (1) year periods, in accordance with the attached specifications.

Company Polydyne Inc.
Federal Tax I.D. No. 34-1810283
Street Address One Chemical Plant Rd.
City Riceboro
State Georgia Zip Code 31323
Tel. No. (912) 880-2035 Fax No. (912) 880-2078
E-Mail polybiddpt@snfhc.com

Name Lawrence D. Grizzle
(PRINT OR TYPE)
Signature* *Lawrence D. Grizzle*
Title Business Manager
Date 11/20/07

**Authorized Signature: The signer declares under penalty of perjury that she/he is authorized to sign this document and bind the company or organization to the terms of this agreement.*

**ONLY BIDS WITH AN ORIGINAL SIGNATURE
WILL BE ACCEPTED.**

This cover page must be completed and submitted as part of your bid.

If your firm is not located in California, are you authorized to collect California sales tax? YES NO

If YES, under what Permit # 2/1/1996 SC OHB 99856313

State delivery time required: 3-5 days after receipt of order

FOR FURTHER INFORMATION CONCERNING THIS BID, PLEASE CONTACT:

Karan Wolff, C.P.M., Principal Procurement Specialist
Phone: (619) 236-7131 Facsimile: (619) 236-5904
E-mail: KWolff@sandiego.gov

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001547

11/20/2007 18:13 FAX 9128802078
11/20/2007 13:39 619-236-5904

CITY OF SD PURCHASIN

004/022
PAGE 03/04

Bid No 9180-08-T

I. PRICING PAGE

1	710,060	LBS	Mannich Polymer for Metropolitan Biosolids Center (MBC) Manufacturer Name: Polydyne, Inc. Qualified Product No.: WE-453	\$ 1.69	\$1,200,000.00
TOTAL:					\$1,200,000.00

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II. SPECIFIC PROVISIONS

A. PRICING

1. Prices quoted shall be FOB Destination to
Metropolitan Biosolids Center
1902 Gatchell Road.
Prices shall include all delivery and freight charges.

Unit prices shall be based on the Unit of Measure (U/M) as specified on the Pricing Page(s). Any changes to the Unit of Measure made by the Bidder may be cause for the item to be rejected as non-responsive.

B. AWARD

This bid shall be awarded as a lot.

C. SUBMITTALS

1. BID SUBMITTAL

Bids must be returned in a sealed envelope to the Purchasing Division, 1200 Third Avenue, Suite 200, San Diego, CA 92101. The bid number and closing date/time must be referenced on the outside of the envelope (lower left corner). Bids must be received by the Purchasing Reception Desk prior to bid closing at 3:00 p.m. on bid closing date. Faxed bids will be accepted, but Page 1 of the Bid must be returned in a sealed envelope with ink signature.

The original and one (1) copy of bid, including any attachments, shall be submitted.

2. SUBMITTALS REQUIRED WITH BID

Failure to provide the required submittals with the bid may be cause for the bid to be rejected as non-responsive.

- a. Two (2) Copies of Material Safety Data Sheets (as specified in Section II, paragraph G).
- b. Bidder's References (as specified in Section II, paragraph I).
- c. Bidder's Statement of Subcontractors (as specified in Section II, paragraph I).

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- d. Bidder's Statement of Available Equipment (as specified in Section II, paragraph I).
- e. Bidder's Statement of Financial Responsibility (as specified in Section II, paragraph I).
- f. Certification Survey (use form on page 17).

3. SUBMITTALS REQUIRED UPON PROVISIONAL AWARD

Failure to provide the following documentation within the time period specified may be cause for the provisional award to be voided and the bid to be rejected as non-responsive.

- a. Insurance and Bond Requirements as specified in City of San Diego General Provisions, Section II paragraph F, if not currently on file.
- b. Taxpayer Identification Number (W-9) as specified in City of San Diego General Provisions, Section C, paragraph 15, if not currently on file.
- c. Business Tax License as specified in Section II paragraph L, if not currently on file.

D. OPTION TO RENEW

The City reserves the option to renew the contract for four (4) additional one (1) year periods under the terms and conditions of the current contract beginning on the anniversary of the commencement of contract. The renewal is contingent on a mutual agreement between the City and the Contractor with such agreement to be confirmed sixty (60) days prior to the expiration of the contract period. Either the City or the Contractor may decline to confirm the renewal of the contract for any reason whatsoever, which shall render the renewal option null and void.

The City's initial letter offering the Bidder an opportunity to renew the contract does not constitute an award of the option period. Any option acceptance must be confirmed by the City, in writing, before it becomes valid.

Bidder shall indicate the maximum percentage increase to which the prices in effect at the end of the current contract year would be subject if the renewal options were exercised. 5 %

Failure to submit or complete the price increase section above will be construed to

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mean that prices bid will not be increased during any option period. The City will not grant an option, if the Contractor requests a price increase which exceeds above stated percentage. If a price increase is requested, the Contractor must provide detailed supporting documentation to justify the requested increase. The requested increase will be evaluated by the City, and the City reserves the right to accept or reject such request.

This section will not be considered in the evaluation for award.

The City may also desire to extend a contract on a month-to-month basis upon expiration of the current contract period under the terms and conditions of the current contract unless modified in writing. The renewal is contingent on a mutual agreement between the City and the Contractor with such agreement to be confirmed in writing prior to the expiration of the contract period.

E. PRICE ADJUSTMENT CLAUSE FOR OPTION RENEWAL

In the event the Contractor does not request a price increase at the time of the contract renewal, and the Manufacturer subsequently announces a general increase in the price of their products, the Contractor may request an increase at that time. The Contractor must provide detailed supporting documentation from the Manufacturer to support the requested increase. The requested increase shall not exceed the percentage increase indicated in the "Option to Renew" clause.

F. INSURANCE REQUIREMENTS

All required insurance shall be submitted to Purchasing within ten (10) days of provisional award. Failure to provide the insurance certificates within the time frame specified by the City shall be cause for the bid to be rejected as non responsive. Contractor shall maintain insurance in full force and effect during the entire period of performance under contract. Failure to do so shall be cause for termination of the contract.

All policies must have a thirty (30) day non-cancellation clause giving the City thirty (30) days prior written notice in the event a policy is canceled.

At the end of each contract year, the City reserves the right to review insurance requirements and to require more or less coverage depending upon assessment of the

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risk, the Vendor's past experience, and the availability and affordability of increased liability insurance coverage.

Insurance coverage must be from an insurance carrier licensed in the State of California and rated "A" or better by the A.M. Best Key Rating Guide.

The following coverage is required:

1. Commercial General Liability for a minimum of one million dollars each occurrence (\$1,000,000.00 EO). The City of San Diego must be named as an additional insured on the certificate.
2. Automobile Liability for a minimum of one million dollars combined single limit (\$1,000,000.00 CSL). The City of San Diego must be named as an additional insured on the certificate.
3. Workers' Compensation coverage in accordance with the laws of the State of California. Policy must contain a Waiver of Subrogation of Rights against the City of San Diego.

G. PERFORMANCE BOND

The Contractor shall be required to furnish the City of San Diego with a surety bond executed by a surety company authorized to do business in the State of California, and approved by the City of San Diego, in a sum equal to 100% of the Contract price, conditional for the performance of the Contract.

The performance bond shall be submitted to Purchasing within ten (10) days of request. Failure to provide the bond within the time frame specified by the City shall be cause for the bid to be rejected as non-responsive. The bond shall be maintained by the Contractor in full force and effect during the entire period of performance under contract. Failure to do so shall be cause for termination of the contract.

H. MATERIAL SAFETY DATA SHEETS

All Bidders must submit with their bids two (2) copies of the material safety data sheet (MSDS) for each product bid. Only those products whose label and MSDS clearly state the contents, hazard potential, and protective measures required shall be considered for purchase.

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The Contractor must also send with each shipment one (1) copy of the MSDS for each item shipped. Failure to comply with this procedure will be cause for immediate termination of the contract for violation of safety procedures.

I. QUALITY ASSURANCE MEETINGS

Contractor may be required to schedule at least one (1) meeting with City's Contract Administrator to discuss Contractor's performance. This meeting should be scheduled no later than eight (8) weeks from date of commencement of work. At this meeting, City's Contract Administrator will provide Contractor with feedback and will note any deficiencies in contract performance and provide Contractor with an opportunity to address and correct these areas. Additional quality assurance meetings may be required, depending upon Contractor's performance.

J. FREIGHT CARRIER

It is the vendor's responsibility to ensure that their freight carriers have proper Commercial General Liability, Automobile Liability, and Workers' Compensation insurance coverage. The City is not responsible for material until it has been delivered and accepted from the freight carrier. Therefore, the City accepts no liability for material prior to delivery or while it is under the vendor's possession, the Contractor shall pay the City's travel costs to the location where the records are maintained. Failure to make requested records available for audit by the date requested will result in immediate termination of contract.

K. GENERAL PROVISIONS

Except as otherwise specified herein, the City of San Diego General Provisions, dated January 3, 2005, (on file in the Office of the Purchasing Agent) are incorporated as part of this bid and any resulting contract by reference. The General Provisions are available online at www.sandiego.gov/purchasing or via request from the Purchasing Division by calling (619) 236-6000.

By signing and/or authorizing the bid submittal, the Bidder/Proposer acknowledges that they have read and understood the meaning, intent and requirements of said General Provisions; and acknowledge said General Provisions are included as a part of this bid.

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BUSINESS TAX LICENSE

Any company doing business with the City of San Diego is required to comply with Section 31.0301 of the San Diego Municipal Code regarding Business Tax. For more information please visit the City of San Diego website at www.sandiego.gov/treasurer/ or call (619) 615-1500.

The City requires that each vendor to provide a copy of their Business Tax License, or a copy of their application receipt. Failure to provide the required documents within ten (10) business days of the City's request may result in a Bid being declared non-responsive and rejected.

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III. SPECIFICATIONS**A. SCOPE OF WORK**

The estimated annual quantities referenced on the pricing page is for the estimated annual quantities of active polymer lbs. required to treat an estimated sludge feed rate of 1.4 million gallons per day with a total solids concentration range between 1.7% to 2.4%. The test results are based on the Metropolitan Biosolids Center full-scale testing of Clarifloc WE-453 mannich polymer

The Product must meet the minimum performance requirements necessary to qualify the polymer as a biddable product and determine the lowest and most suitable dosage of active polymer (dry lb. of active polymer per dry ton of feed sludge) to achieve or exceed the minimum criteria of 95% solids recovery and 31% cake TS (total solids).

Only the qualified products listed on the pricing page, which have passed the full-scale plant test will be considered for this bid.

B. MANNICH POLYMER

Mannich polymer shall be delivered to the facility in liquid form only. The polymer supplied under these specifications shall be clean and free from all dirt, wood, and plastic particulate matter which could cause pumping failure. Polymer shall contain no foreign substances, organic, or inorganic, in injurious quantities. An injurious quantity shall be defined as the minimum capable of producing ill effects on the health of those humans and animals using recreational areas into which treated wastewater has been discharged, or of causing wastewater treated to fail to meet current U.S. E.P.A. wastewater standards. The maximum concentration of the chemical elements Arsenic, Cobalt, Copper, Nickel, Lead, and Titanium shall not exceed 200 mg/L (200 milligrams per liter) as individual elemental concentrations or 1000 mg/L (1000 milligrams per liter) collectively. Inorganic impurities shall be determined by the procedures described in the Aheavy metals@ sections of the most recent edition of Standard Methods of the Examination of Water and Wastewater.

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C. DELIVERY REQUIREMENT

1. Deliveries can be made at any time during the day between the hours 6 AM. And 6 PM, Monday through Friday, except for holidays. Upon award of this bid, the successful Bidder will be required to arrange a regular delivery schedule with City personnel. Deliveries will be required to be made to:

Metropolitan Biosolids Center
1902 Gatchell Road
San Diego, CA 92106

Trucking company to deliver polymer: Quality Carriers

2. Successful Bidder shall supply samples of each load of bulk material delivered at the time of delivery for evaluation of the shipment as a part of the quality control process.
3. Delivery weight of material shall be determined by certified scales. Certificates of weight shall be furnished by Vendor for all loads of polymer at the time of delivery. Each delivery slip must indicate the total solids, total polymer, and polymer concentration.
4. Delivery will be provided by tank truck lots of approximately 5,700 gallons per load. Tank trucks shall be cleaned prior to loading the City's mannich polymer and dedicated solely to shipping the City mannich polymer as specified in this bid. Tote bin delivery is not acceptable.
5. The City reserves the right to add or remove delivery locations throughout the contract period at no additional cost to the City.
6. All deliveries must be accompanied by an invoice or delivery receipt which includes the price of the item being delivered. A copy of this document must be signed by the individual accepting delivery. All invoices and delivery tickets must reference applicable purchase order numbers and/or sub-order numbers.
7. Orders shall be delivered within five (5) business days after receipt of order (verbal and/or written).

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D. EMERGENCY ORDER

In an emergency, the City requires delivery within forty-eight (48) hours. In the event the Contractor is unable to deliver within this time frame, the City reserves the right to purchase off-contract.

In addition, if the contractor fails to deliver material within time indicated on the proposal page, causing any plant to run short of product or run the risk of being totally out of this product, the City reserves the right to purchase off-contract. If under such circumstance, it becomes necessary for the City to obtain the product on an emergency basis (due to failure of contractor to deliver, or the apparent likelihood that contractor will be unable to deliver), the City will bill Contractor for the difference in cost between the contract price and the price the City paid for the emergency delivery.

Furthermore, should the City be subjected to fines or any other expenses as a result of Contractor's or agents of the Contractor's failure to deliver the product herein specified, Contractor will be held liable to the City for reimbursement of the entire amount of expense imposed upon the City because of late or non-delivery.

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BIDDER'S REFERENCES

The Bidder is required to provide a minimum of three (3) references where work of a similar size and nature was performed within the past three (3) years. This will enable the City of San Diego to judge the responsibility, experience, skill, and business standing of the Bidder.

REFERENCES

Company Name: City of San Diego, CA Contact Name: _____
 Address: _____ Phone Number: _____
 _____ Fax Number: _____
 Dollar Value of Contract: \$ _____ Contract Dates: _____
 Requirements of Contract: _____

Company Name: _____ Contact Name: _____
 Address: _____ Phone Number: _____
 _____ Fax Number: _____
 Dollar Value of Contract: \$ _____ Contract Dates: _____
 Requirements of Contract: _____

Company Name: _____ Contact Name: _____
 Address: _____ Phone Number: _____
 _____ Fax Number: _____

001558

11/20/2007 18:14 FAX 9128802078
11/20/2007 13:08 619-236-5904

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Dollar Value of Contract: \$ _____ Contract Dates: _____

Requirements of Contract: _____

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11/20/2007 18:14 FAX 8128802078
11/20/2007 13:00 619-236-5904

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BIDDER'S STATEMENT OF SUBCONTRACTORS

N/A

The Bidder is required to state below all subcontractors to be used in the performance of the proposed contract, and what portion of work will be assigned to each Subcontractor. Failure to provide details of Subcontractors may be grounds for rejection of bid. NOTE: Add additional pages if necessary.

Company Name: _____ Contact Name: _____

Address: _____ Phone Number: _____

_____ Fax Number: _____

Dollar amount of sub-contract: \$ _____ Contract Dates: _____

Contractor's License #: _____

Requirements of contract: _____

What portion of work will be assigned to this subcontractor: _____

Company Name: _____ Contact Name: _____

Address: _____ Phone Number: _____

_____ Fax Number: _____

Dollar amount of sub-contract: \$ _____ Contract Dates: _____

Contractor's License #: _____

Requirements of contract: _____

What portion of work will be assigned to this subcontractor: _____

Company Name: _____ Contact Name: _____

Address: _____ Phone Number: _____

001560

11/20/2007 18:14 FAX 9128802078
11/20/2007 13:08 619-235-5904

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Fax Number: _____

Dollar amount of sub-contract: \$ _____

Contract Dates: _____

Contractor's License #: _____

Requirements of contract: _____

What portion of work will be assigned to this subcontractor: _____

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BIDDER'S STATEMENT OF AVAILABLE EQUIPMENT

N/A

The Bidder is required to list all necessary equipment to complete the work as specified. The Bidder shall state below the motive, industrial, construction and other equipment which Bidder has or will have available to perform the work under this contract prior to the commencement of the contract. The City of San Diego reserves the right to reject any bid when, in its opinion, the Bidder has not demonstrated they will be properly equipped to perform the work in an efficient, effective manner for the duration of the contract period. In instances where required equipment is not presently owned, the Bidder shall explain how the equipment will be made available prior to commencement of work.

NOTE: Add additional pages if necessary.

Equipment

Equipment Description: _____

Owned Rented Other (explain below)

If Owned, Quantity Available: _____

Year, Make & Model: _____

Explanation: _____

Equipment Description: _____

Owned Rented Other (explain below)

If Owned, Quantity Available: _____

Year, Make & Model: _____

Explanation: _____

Equipment Description: _____

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11/20/2007 18:14 FAX 9128802078
11/20/2007 13:08 619-236-5904

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Owned Rented Other (explain below)

If Owned, Quantity Available: _____

Year, Make & Model: _____

Explanation: _____

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BIDDER'S STATEMENT OF FINANCIAL RESPONSIBILITY

The Bidder is required to furnish below a statement of financial responsibility, except when the bidder has previously completed contracts with the City of San Diego covering work of similar scope.

I, Lawrence D. Grizzle, certify that my company, Polydyne Inc., has sufficient operating capital and/or financial reserves to properly fund the services identified in these contract specifications for a minimum of two (2) full months. I agree that upon notification of provisional award, I will promptly provide a copy of my company's most recent balance sheet, or other necessary financial statements, as supporting documentation for this statement, if requested. I understand that this balance sheet, as well as any other required financial records, will remain confidential information to the extent allowed under the California Public Records Act.

I certify under penalty of perjury under the laws of the State of California that the information contained in this statement is true and correct.

Dated: 11/20/07Signature: Lawrence D. Grizzle

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CONTRACTOR INFORMATION FORM

CONTRACTOR: Polydyne Inc.

BID NUMBER: _____

CONTRACT TITLE: Bid for Mannich Polymer trialed at Metropolitan Biosolids Center to dewater anaerobically digested sludge

CONTACT PERSON: 7:00 a.m. to 3:30 p.m.

PHONE NUMBER: One (1) Hour Response or Less (909) 214-4338

FAX NUMBER: (912) 880-2078

PAGER NUMBER: N/A

CELL PHONE NUMBER: (909) 214-4338

EMERGENCY NUMBER: (800) 424-9300 Chemtrec

(For non working hours including weekends and holidays)

NAME OF ON SITE (WORKING) SUPERVISOR: Frank Cimino

(Capable of discussing all aspects of the contract)

NAME OF NON-WORKING SUPERVISOR: Lawrence D. Grizzle

NUMBER OF EMPLOYEES ASSIGNED TO JOB SITE: 3

DAYS OF WEEK (EMPLOYEES) ON SITE (CIRCLE): S (M) (T) (W) (TH) (F) S normal

PRINT NAME: Lawrence D. Grizzle

SIGNATURE: *Lawrence D. Grizzle*

THIS FORM MUST BE CURRENT AT ALL TIMES. REPORT ANY CHANGES IN WRITING TO THE CONTRACT ADMINISTRATOR.

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Certification Survey

For Small, Ethnically and Culturally Diverse,
Woman, Disadvantaged, Disabled Veteran, Or Other Businesses

All Contractors are required to complete this form and return it with their bid package.

Company Name: Polydyne Inc.
Mailing Address: P.O. Box 279
Riceboro, GA 31323
Telephone No.: (912) 880-2035
E-Mail Address: polybiddpt@snfnc.com

1. Contractor's company is currently certified as small, ethnically and culturally diverse, woman, disadvantaged, disabled veteran, or other business? Yes No

Certification Number/Agency: _____

2. Contractor's company has applied for certification? Yes No

If yes, which agency? _____

3. Contractor's company is an independently owned business? Yes No

4. Contractor's company is 51% or more owned by a socially, economically, disadvantaged individual*? Yes No

5. SIC Code: _____

6. Number of Employees: 872

7. Annual Gross Receipts (three year average): \$ 120,000,000.00

8. This is not an application for certification. If you would like to receive an application for certification, please check box:

I certify that this information is correct: Lawrence D. Byrd 11/20/07
Authorized Signature Date

* Black Americans, Native Americans, Hispanic Americans, Asian-Pacific Americans, Subcontinent Asian Americans, Women, any additional groups whose members are designated as socially and economically disadvantaged by the Small Business Administration (SBA) at such time as the SBA designation becomes effective.