

1 **BILL NO. S-22-01-04**

2 SPECIAL ORDINANCE NO. S-_____

3 AN ORDINANCE approving PURCHASE ORDER
4 FOR THE PURCHASE OF POLYMYER FOR THE
5 WATER POLLUTION CONTROL PLANT
6 (\$106,000.00) between POLYDYNE, INC. and the City
7 of Fort Wayne, Indiana, by and through its Department
8 of Purchasing, in connection with the Board of Public
9 Works.

10 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON**
11 **COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

12 **SECTION 1.** That the PURCHASE ORDER FOR THE PURCHASE
13 OF POLYMYER FOR THE WATER POLLUTION CONTROL PLANT
14 (\$106,000.00) between POLYDYNE, INC. and the City of Fort Wayne, Indiana, in
15 connection with the Board of Public Works, is hereby ratified, and affirmed and
16 approved in all respects, respectfully for:

17 PURCHASE OF POLYMER FOR WATER POLLUTION CONTROL
18 PLANT during 2022;

19 involving a total cost of ONE HUNDRED SIX THOUSAND, AND NO/100
20 DOLLARS - (\$106,000.00).

21 **SECTION 2.** Prior Approval has been requested from Common
22 Council on JANUARY 11, 2022. Said copy is on file in the Office of the Department
23 of Purchasing, and is by reference incorporated herein, made a part hereof, and is
24 hereby in all things ratified, confirmed and approved.
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SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney

Email to: ericka.wallace@cityoffortwayne.org

October 21, 2021

Ms. Ericka Wallace
City of Fort Wayne
2601 Dwenger Avenue
Fort Wayne, IN 46803

RE: Clarifloc C-6266P; Polymer Quotation and Sole Source

Dear Ms. Wallace:

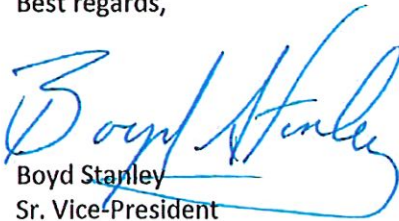
Please allow this letter to serve your needs in defining Polydyne Inc. as the sole source manufacturer and supplier of Clarifloc C-6266P. This is a proprietary product and CLARIFLOC is Polydyne's trademark. No other vendor is authorized to supply this brand polymer.

Regarding pricing, over the last several months, Polydyne Inc. has seen continued increases in raw material costs in response to the tight supply and high demand of these materials. Two key cost drivers of polymers, propylene and acrylonitrile, have seen substantial increases. Propylene is up more than 139% over the last year and acrylonitrile is up more than 102% over this same period. Please see attached corresponding price graph. Trucking shortages only further compound these cost increases. Average long-distance trucking rates have increased more than 25% over the last year. Please see attached PPI for General Freight Trucking. These freight increases have impacted our costs for both receiving raw materials to our manufacturing facilities and for delivering finished polymers to our customers. Lastly, for your review, please find attached the most recent PPI – Producer Price Index for Plastics material and resins mfg. (Series ID: PCU325211325211), which reflects an increase of 44.6%.

Therefore, for the period January 1, 2022 through December 31, 2022, Polydyne Inc. proposes to supply CLARIFLOC C-6266P at \$1.60/LB. Delivered in 2300 Lb. Totes.

Thank you for your business. If you have any questions or need any additional information please feel free to contact Sam Smith, Sr. Technical Sales Representative, at (708) 860-6868. If this proposal is acceptable to the City, please send notification via email to bids@polydyneinc.com.

Best regards,


Boyd Stanley
Sr. Vice-President

Attachments

Specifications to Provide Liquid Polymer for Drinking Water
Three Rivers Filtration Plant
City of Fort Wayne

Term of Agreement: **January 1, 2022 Through December 31, 2022**

Estimated Annual Quantity: 200,000 Pounds

General Information

1. Bids are being requested to provide Liquid Polymer (Medium or high molecular weight product) to be delivered to Three Rivers Filtration Plant, 1100 Griswold Drive, Fort Wayne, IN 46805.
2. The product is for drinking water application for a surface water source.
3. Prices quoted shall be held firm through the term of the agreement. If vendor wishes certain obligations to be met, these should be taken into consideration as part of the bid pricing and shall not be reflected as separate charge.
4. The contact person for the bid is the Water Quality Supervisor, Three Rivers Filtration Plant (260) 427-6054.
5. **Affidavit of Compliance.** The product must be certified by ANSI/ NSF International Standard 60 and AWWA Std. B451-16. Only those products appropriately certified will receive consideration for award.
6. A certificate shall accompany each shipment from the vendor listing batch or lot number, percent Polymer available, net weight of the product.
7. There shall be no minimum billing requirement or the assignment of late fee.
8. **All invoices shall be directed to:**
 Three Rivers Filtration Plant
 1100 Griswold Drive
 Fort Wayne, IN 46805
 Invoices may be emailed to flpinv@cityoffortwayne.org
9. The chemicals shall be ordered on as needed basis during the course of the agreement. The quantity listed is an approximation. Actual quantity may be more or less depending on the need.
10. The polymer shall be of the cationic, mid molecular weight poly-diallyldimethyl ammoniumchloride (DADMAC) type and shall be delivered in liquid form readily soluble in water.

Performance Standard:

11. Trihalomethane Formation

The polymer, under any filter plant conditions, shall not contribute to the formation of total trihalomethanes so as to cause to exceed the 80 micrograms per liter (ug/l) level in its treated water. At no time shall the polymer contribute to the formation of greater than 5 ug/l of total trihalomethanes. If needed, the utility will conduct laboratory tests simulating current chlorine dosage, polymer dosage, pH, temperature, and contact time to determine the polymer's contribution to trihalomethane formation. Utility water will be used to make up test solutions including a control with no polymer.

12. Fish Toxicity

The polymer shall not be toxic to fish.

13. Toxic Byproducts

The polymer shall not produce in treated water any measurable levels of any organic compound, including but not limited to epichlorohydrin or acrylamide, considered toxic or hazardous by the U.S. Environmental Protection Agency.

14. Filter Media Effect

The polymer shall not cause any adverse effects on the condition of the filter media which cause unforeseen filter operational problems.

Standard Requirements

15. The polymer shall be listed by the American National Standard Institute (ANSI) or the National Sanitation Foundation (NSF) as being in full compliance with ANSI/NSF Standard No. 60 for Drinking Water Treatment Chemicals -- Health Effects.

16. SHELF LIFE CRITERIA

The polymer shall be resistant to biological growths. Should biological growths occur in storage of polymer at District filter plants through no fault of the Utility, the Contractor shall remove and replace the polymer at no cost to the Utility. Continued feeding problems due to biological growths in the polymer will be grounds for cancellation of the contract.

Direct Physical and Chemical Specification:

17. Appearance (visual inspection)

The product shall be free from visible foreign matter and sediment. Color may vary from colorless to amber. The product may exhibit slight turbidity.

18. VISCOSITY AND ACTIVE MATERIAL CONTENT

The viscosity and the percent by weight of active poly DADMAC of the polymer shall be within 10% of the values specified in the bid. Neat polymer viscosity should not exceed 300 centipoise at 25°C as measured by a Brookfield viscometer, model LVF. The percent DADMAC monomer shall not exceed 5 percent on an active ingredient basis at any time as measured by NSF Standard No. 60.

19. Polymer must be at least 20% total solids.

Requirements

20. Product Bulletins and Safety Data Sheet must be included in the bid package.

21. Bidder shall guarantee pricing till December 31, 2022.

22. Delivery of product shall be no more than ten (10) working days after notification by authorized plant personnel.
23. The vendor shall submit with the requested bid the following:
- A typical analysis sheet of the product
 - A representative sample of the product offered
 - SDS documentation in accordance with 29 CFR 1910.1200
 - Affidavit of Compliance with ANSI/NSF Standard 60
 - Statement certifying that the submitted analysis is equal in quality to the material that will be shipped.
24. Liquid Polymer shall be delivered by totes.
25. Packaging having one or more indicator of tempering or barriers to entry which, if breached or missing, can reasonably expected to provide visible evidence to the purchaser that tempering has occurred. The temper evident feature of the packaging shall be designed to and remain intact during normal handling and delivery to the purchaser..
26. The Vendor shall submit an affidavit of compliance with each delivery of polymer.
27. The bill of Lading, SDS, and Certificate of the product alongwith driver's name, Drivers License number and picture shall be faxed 24 hours ahead of shipment to Three Rivers Filtration Plant at 260-427-6054.
28. The Utility will periodically analyze random samples from material shipped for quality. The Utility will analyze samples from material being used when any significant deviation in polymer performance or established feed rates occurs.
29. In the event that the analyses indicate a significant quality inconsistency, the Utility will require replacement of defective material. The procedure for rejection and replacement shall be as specified in Section 1.4 of AWWA Std. B451-16.
Continued quality deviations will be considered grounds for cancellation of the contract.
30. Delivery hours at Three Rivers Filtration Plant are designated to be 7:30 AM to 1:00 PM, Monday through Friday (Subject to change in summer months).
31. Cost of the product and shipping shall be priced individually. The overall bid shall be inclusive of each.
32. All invoicing for the agreement year shall be submitted for payment by 12/31/2022 for shipments prior to this date.

Annual Liquid Polymer Supply
Three Rivers Filtration Plant
City of Fort Wayne

Bidder Pricing

A)	Cost of Liquid Polymer per Pound	\$	_____
B)	Freight per Pound	\$	_____
C)	Total Cost per Pound (A+B)	\$	_____
D)	%Active Ingredient		_____
Estimated Time to delivery From Order Placement			_____

Vendor List

Polydyne Inc
1 Chemical Plant Rd
Riceboro, GA 31323
912-880-2035

Applied Specialities, Inc
33555 Pin Oak Parkway
Avon Lake, OH 44012
800-933-9915

Aquamark, Inc
14901 Cross Creek Parkway
Newbury, OH 44065
800-350-0304

Carus Corporation
315 Fifth Street
Peru, IL 61354
800-929-6789

Chemtrade Solutions
1421 Willis Ave
Syracuse, NY 13204
315-478-2323

Annual Requirements for Liquid Polymer for Drinking Water (#8062477)

Owner: Purchasing

Solicitor: Fort Wayne IN, City of

11/04/2021 11:00 AM EDT

Section Title	Item Code	Item Description	Polydyne, Inc, Unit Price	Extension
Total Cost per Pound (A + B)				\$0.72
	A	Cost of Liquid Polymer per Pound	\$0.72	\$0.72
	B	Freight per Pound	\$0.00	\$0.00
Base Bid Total:				\$0.72

sent to ChemTrade Solutions, Carus Corp & Applied Specialties

CITY OF FORT WAYNE, INDIANA

Polydyne, Inc.

(Vendor Name)

VENDOR DISCLOSURE STATEMENT RELATING TO:

1. **FINANCIAL INTERESTS;**
2. **POTENTIAL CONFLICTS OF INTEREST;**
3. **CURRENT AND PENDING CONTRACTS OR PROCUREMENTS**

Vendors desiring to enter into certain contracts with the City of Fort Wayne, Indiana (the "City") shall disclose their financial interests, potential conflicts of interest and current and pending contract or procurement information as set forth below.

The following disclosures by Vendors are required for all contracts with annual payments by the City in the amount of \$50,000 or more. Vendors shall disclose their financial interests, potential conflicts of interest and other contract and procurement information identified in Sections 1, 2 and 3 below as a prerequisite for consideration for a contract awarded by the City. This Disclosure Statement must be completed and submitted together with the Vendor's contract, bid, proposal or offer.

A publicly traded entity may submit its current 10K disclosure filing in satisfaction of the disclosure requirements set forth in Sections 1 and 2 below.

Section 1: Disclosure of Financial Interest in Vendor

- a. If any individuals have either of the following financial interests in Vendor (or its parent), please check all that apply and provide their names and addresses (attach additional pages as necessary):

(i) Equity ownership exceeding 5% ☐

(ii) Distributable income share exceeding 5% ☐

(iii) Not Applicable (If N/A, go to Section 2) ☒

Name: _____

Name: _____

Address: _____

Address: _____

- b. For each individual listed in Section 1a. show his/her type of equity ownership:

sole proprietorship ☐ stock ☐

partnership interest ☐ units (LLC) ☐

other (explain) _____

- c. For each individual listed in Section 1a. show the percentage of ownership interest in Vendor (or its parent):
ownership interest:

Name: _____ %

Name: _____ %

Section 2: Disclosure of Potential Conflicts of Interest (not applicable for vendors who file a 10K)

For each individual listed in Section 1a, check "Yes" or "No" to indicate which, if any, of the following potential conflict of interest relationships apply. If "Yes", please describe using space under applicable subsection (attach additional pages as necessary):

- a. City employment, currently or in the previous 3 years, including contractual employment for services:

Yes _____ No _____

- b. City employment of "Member of Immediate Family" (defined herein as: *Spouse, Child, Step Child, Parent or Step Parent, Father-in-law or Mother-in-law, Brother or Sister, Step Brother or Step Sister, Half Brother or Half Sister, Brother-in-law or Sister-in-law, Son-in-law or Daughter-in-law, Grandparent or Step Grandparent, Grandparent or Step Grandparent of Spouse, Grandchild*)

Including contractual employment for services in the previous 3 years:

Yes _____ No _____

- c. Relationship to Member of Immediate Family holding elective City office currently or in the previous 3 years:

Yes _____ No _____

Section 3: DISCLOSURE OF OTHER CONTRACT AND PROCUREMENT RELATED INFORMATION

- a. Does Vendor have current contracts (including leases) with the City? Yes ☒ No _____

If "Yes", identify each current contract with descriptive information including purchase order or contract reference number, contract date and City contact below (attach additional pages as necessary).

RFQ: #8062477

Description: Annual Request for Liquid Polymer for Drinking Water

- b. Does Vendor have pending contracts (including leases), bids, proposals, or other pending procurement relationship with the City? Yes _____ No ☒

If "Yes", identify each pending matter with descriptive information including bid or project number, contract date and City contact using space below (attach additional pages as necessary).

-
- c. Does vendor have any existing employees that are also employed by the City of Fort Wayne?

Yes _____ No ☒

If "Yes", provide the employee's name, current position held at vendor, and employment payment terms (hourly, salaried, commissioned, etc.).

Name / Position / Payment Terms:

Name / Position / Payment Terms:

Name / Position / Payment Terms:

- d. Does vendor's representative, agent, broker, dealer or distributor (if applicable) have any existing employees that are also employed by the City of Fort Wayne? For each instance, please provide the name of the representative, agent, broker, dealer or distributor; the name of the City employee, and the payment terms (hourly, salaried, commissioned, etc.).

Company / Name / Payment Terms: None

Company / Name / Payment Terms: _____

Section 4: CERTIFICATION OF DISCLOSURES

In connection with the disclosures contained in Sections 1, 2 and 3 Vendor hereby certifies that, except as described in attached Schedule A:

- a. Vendor (or its parent) has not, within the five (5) year period preceding the date of this Disclosure Statement, been debarred, suspended, proposed for debarment declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. No officer or director of Vendor (or its parent) or individual listed in Section 1a. is presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any offense;
- c. Vendor (or its parent) has not, within the five (5) year period preceding the date of this Disclosure Statement, had one or more public transactions (federal, state or local) terminated for cause or default;
- d. No officer or director of Vendor (or its parent) or individual listed in Section 1a. has, within the five (5) year period preceding the date of this Disclosure Statement, been convicted, adjudged guilty, or found liable in any criminal or civil action instituted by the City, the federal or state government or any other unit of local government; and
- e. Neither Vendor, nor its parent, nor any affiliated entity of Vendor, or any of their respective officers, directors, or individuals listed in Section 1a. is barred from contracting with any unit of any federal, state or local government as a result of engaging in or being convicted of: (i) bid-rigging; (ii) bid-rotating; or (iii) any similar federal or state offense that contains the same elements as the offense

of bid-rigging or bid-rotating

- f. Pursuant to IC 5-22-16.5, Vendor hereby certifies they do NOT provide \$20 million dollars or more in goods or services to the energy sector of Iran. Vendor also certifies it is not a financial institution that extends \$20 million dollars or more in credit that will provide goods or services to the energy sector of Iran or extends \$20 million dollars or more in credit to a person identified on the list as a person engaging in investment activities in Iran.

The disclosures contained Sections 1, 2 and 3 and the foregoing Certifications are submitted by

<u>Polydyne, Inc.</u> (Name of Vendor)	<u>1 Chemical Plant Rd Riceboro, GA 31323</u> Address <u>(800)848-7659 Opt. 2</u> Telephone <u>bids@polydyneinc.com</u> E-Mail Address
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The individual authorized to sign on behalf of Vendor represents that he/she: (a) is fully informed regarding the matters pertaining to Vendor and its business; (b) has adequate knowledge to make the above representations and disclosures concerning Vendor; and (c) certifies that the foregoing representations and disclosures are true and accurate to the best of his/her knowledge and belief.

Name (Printed) <u>Boyd Stanley</u>	Title <u>Sr. Vice-President</u>
Signature <u></u>	Date <u>1/4/2022</u>

NOTE: FAILURE TO COMPLETE AND RETURN THIS FORM WITH YOUR DOCUMENTATION MAY RESULT IN YOUR CONTRACT, OFFER, BID OR PROPOSAL BEING DISQUALIFIED FROM CONSIDERATION.

Interoffice Memo

Date: January 11, 2022
To: Common Council Members
From: John Clark, City Utilities Deputy Director of Capital Assets
RE: Purchase of Polymer

Members of City Council:

This ordinance is to authorize the purchase of Polymer. Water Pollution Control Plant purchases Polymer from Polydyne Inc. The total purchase order for 2022 is \$106,000.00.

If you have any questions, please let me know.

John Clark
Fort Wayne City Utilities
Deputy Director of Capital Assets

Council Introduction Date: January 11, 2022

CC: BOW
Justin Brugger
Jill Helfrich
Chrono
File