



RESOLUTION NO. 7118

A RESOLUTION OF THE ALBANY CITY COUNCIL, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, WAIVING COMPETITIVE BIDDING, AND AWARDING A SOLE-SOURCE CONTRACT TO NATIONAL FITNESS CAMPAIGN LP TO PROCURE EQUIPMENT AND SUPPORT MATERIALS

WHEREAS, Oregon Revised Statutes 279B.075 and Oregon Administrative Rule 137-047-0275 allow the city council, acting as the local contract review board, to award a contract for goods and services without competition by sole-source procurement if it is determined that the goods or services are available from only one source; and

WHEREAS, such authorization must be based on written findings submitted by the department seeking the exception that describe the circumstances that support the source selection and use of a sole-source procurement; and

WHEREAS, National Fitness Campaign LP invented the Fitness Court, patented the Fitness Court, and remains the sole owner of the design and engineering of the system; and

WHEREAS, the existing training system at Burkhart Park is outdated and breaks down often; and

WHEREAS, National Fitness Campaign (NFC) is providing the department with a \$30,000 grant towards installation of their equipment; and

WHEREAS, there is no other vendor that can provide the Fitness Court and financial support offered by National Fitness Campaign LP for the Burkhart Park Project.

NOW, THEREFORE, BE IT RESOLVED BY THE ALBANY CITY COUNCIL, ACTING AS THE LOCAL CONTRACT REVIEW BOARD:

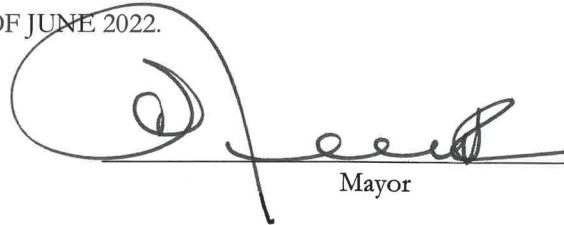
SECTION 1. Adopts the following findings:

1. National Fitness Campaign LP invented the Fitness Court, patented the Fitness Court, and remains the sole owner of the design and engineering of the system.
2. NFC has provided supporting documentation of their patent for the Fitness Court.
3. NFC is providing the department with a \$30,000 grant towards the installation of the Fitness Court equipment and related materials.
4. There is no other vendor that can provide the Fitness Court and support offered by National Fitness Campaign LP.

SECTION 2. Notwithstanding the provisions of Albany Municipal Code Section 2.66.060, the Parks and Recreation Director is authorized and directed to use a sole-source procurement method to procure the Fitness Court from National Fitness Campaign LP.



SECTION 3. The Parks and Recreation Director is hereby directed to negotiate, award and execute a sole-source contract with National Fitness Campaign LP for the Fitness Court after the City has given public notice for seven days of its intent to award a contract, per Oregon Administrative Rules 137-047-0275 and ORS 279B.075.

DATED AND EFFECTIVE THIS 8TH DAY OF JUNE 2022.



Mayor

ATTEST:

City Clerk