

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF THE BOARD OF )  
SUPERVISORS FINDING THAT THE )  
PA-AS-1 POLYMER SHOULD BE )  
DESIGNATED BY NAME IN ALL ) **RESOLUTION NO.**  
CONTRACTS UTILIZING THIS )  
TECHNOLOGY. )

**WHEREAS**, the Public Contract Code § 3400, Subdivision (a) allows the awarding authority, or its designee, to make a finding that is described in the invitation for bids or request for proposals that a particular material, product, thing, or service is designated by specific brand or trade name; and

**WHEREAS**, the PA-AS-1 Polymer technology is a durable and proven product that has been used for 5 years as a key component of the County’s Pavement Preservation Program for Fog Seals and Scrub Seals and its continued use will allow the County to match completed infrastructure improvements and allow the County to avoid future compatibility issues and their associated costs; and

**WHEREAS**, the continued success and cost savings associated with the County’s Pavement Preservation Program relies on the continued use of the PA-AS-1 Polymer technology and this necessary item is available from only one source; and

**WHEREAS**, the PA-AS-1 Polymer maintains its structural integrity, flexibility and ductility while remaining unaffected by the influence of a recycling agent and there is no other product that is equal in this regard; and

**WHEREAS**, the use of the PA-AS-1 Polymer has allowed the County to save an estimated \$150,000 per year by eliminating the need for crack sealing on candidate roadways alleviating 480 hours per year of the maintenance crews time to complete other vital County work; and

**WHEREAS**, the PA-AS-1 Polymer (1) has been shown to be far superior to other products commonly submitted as “equals,” (2) has been extensively tested in the field by the County of Santa Barbara and found to be durable and satisfactory; and

**WHEREAS**, unbranded emulsions are subject to substitution by cheaper materials during construction without the project manager’s knowledge due to the 14-day testing period, which would have a significant impact to public convenience and safety, and unbranded products used in the past, locally and throughout the State of California, have not been adequately supported by their suppliers when corrective action is necessary; and

**WHEREAS**, the manufacturer of the PA-AS-1 Polymer has had a technical representative on every job performed by the County or it’s contractors to ensure quality and successful application and has guaranteed their product.

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Santa Barbara finds that the PA-AS-1 Polymer is available from only one source and that the use of this particular polymer is necessary to match completed work on Public Works facilities and infrastructure improvements and allow the County to avoid future compatibility issues and their associated costs; and

**BE IT FURTHER RESOLVED**, that the County of Santa Barbara will designate by specific brand or trade name in all future invitations for bids, requests for proposals or contracts that the PA-AS-1 Polymer technology will be utilized and that this specified polymer will be subject to all testing requirements under these contracts.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Barbara, State of California, this TWENTY - FIRST day of APRIL, 2009, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

ATTEST:  
MICHAEL F. BROWN  
CLERK OF THE BOARD

ACCEPTED AND AGREED:  
COUNTY OF SANTA BARBARA

By: \_\_\_\_\_  
Deputy

By: \_\_\_\_\_  
Joseph Centeno, Chair  
Board of Supervisors

Date: \_\_\_\_\_

APPROVED AS TO FORM:  
DENNIS A. MARSHALL  
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING  
ROBERT W. GEIS,  
AUDITOR CONTROLLER

By: \_\_\_\_\_  
Deputy County Counsel

By: \_\_\_\_\_