

RESOLUTION NO. 2020-_____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, APPROVING AN EXCEPTION TO FORMAL BIDDING PROCEDURES AND AWARDING A SOLE SOURCE CONTRACT TO BADGER METER INCORPORATED.

WHEREAS, the Water Division, under the Department of Public Utilities wishes to continue the partnership with Badger Meter Incorporated (Badger) for water meters, parts and software technology for the City of Fresno over the formal bid limit from a sole source without competitive bidding; and

WHEREAS, the Water Division endeavors to have accuracy in its meter reading and Badger Meter Inc. has been reliable in achieving this goal; and

WHEREAS, Badger is a market leader in flow measurement technology with more than a century of innovation and strong, stable growth; and

WHEREAS, Water Division staff have researched other meter manufacturers and conclude no others have the capability to integrate with the Badger's Beacon analytic reporting system; and

WHEREAS, key benefits include savings of water through customers' use of its metering products and energy savings resulting from the use of recycled materials in the making of its products; and

WHEREAS, continued partnership with Badger will aid the City of Fresno in meeting its long term water resource goals for a balanced and sustainable water resources portfolio by 2025 as defined in the City's Metropolitan Water Resources and Urban Water Management Plans; and

1 of 4

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: BC

Resolution No.

WHEREAS, through experience, research and reaching out to industry leaders, the Water Division has determined that the Beacon reporting system is only available from Badger; and

WHEREAS, City Charter Section 1208 requires advertised competitive bidding for equipment involving the expenditure of City monies in excess of \$141,000, unless Council determines the goods to be supplied can only be provided by one source and the purchase is authorized by resolution of Council containing a declaration of the facts constituting the sole source.

WHEREAS, The City and Badger agreed the new price would be previous contract price paid by the City plus the percentage increase for flow measurement devices and Industrial products as provided in the Produce Price Index; and

WHEREAS, the City Manager has approved the installation of the proposed sole source product from Badger and now seeks Council approval of the proposed products.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The Council has received and considered the staff report and the City Manager's.
2. Continue installation of Badger products in the City of Fresno.
3. Badger is the sole source license holder of meters, parts and the Beacon system.
4. This resolution finds proper for the City to suspend the competitive bidding requirement in this instance and to authorize the installation of Badger meter products under the sole source exception.

5. The Director of Public Utilities or designee is hereby authorized to sign all documents on behalf of the City with Badger.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2020.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2020
Mayor Approval/No Return: _____, 2020
Mayor Veto: _____, 2020
Council Override Vote: _____, 2020

YVONNE SPENCE, CRM MMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Brandon M. Collet Date
Senior Deputy City Attorney