



Item Brief

Meeting Date

March 24, 2025

Agenda Item

Discuss and consider action: Resolution No. R2025-19: J. Forsyth

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, DECLARING THE PURCHASE OF BADGER METERS TO BE A SOLE SOURCE ACQUISITION

Information

Competitive bidding is generally required for municipal purchases exceeding \$50,000, as outlined in Texas Local Government Code Chapter 252. However, Section 252.022 provides exemptions, including sole-source procurement, when an item is available from only one provider or is considered a captive replacement part necessary for standardization, compatibility, and operational efficiency.

The City of Burnet has standardized its water meter system with Badger Meters, with more than one-third of its current meters utilizing this technology. The City's water and sewer infrastructure is optimized for Badger Meters, and integrating meters from other manufacturers would result in substantial financial and operational inefficiencies.

For cost-effectiveness, operational consistency, and efficiency, the City must continue using Badger Meters. Furthermore, Badger Meter Company has provided written confirmation that Atlas Utility Supply is the sole authorized vendor, making this purchase of captive replacement parts eligible for sole-source exemption under Texas Government Code Section 252.022.

Fiscal Impact

None at this time.

Recommendation

Staff recommends approval of Resolution No. R2025-19 as presented.

RESOLUTION NO. R2025-19

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, DECLARING THE PURCHASE OF BADGER METERS TO BE A SOLE SOURCE ACQUISITION

WHEREAS, Texas Government Code Section 252.022, exempts from competitive purchasing requirements the procurement of items that are available from only one source, including captive replacement parts or components for equipment; and

WHEREAS, Whereas, the City provides water and sanitary sewer services to residents and businesses within its corporate limits; and

WHEREAS, City Council finds it necessary to acquire water meters to monitor water usage by its water customers; and

WHEREAS, City Council finds that the water system is optimized for use of Badger Meters, with over one-third of the City's current meters being Badger Meters; and

WHEREAS, City Council finds that the use of meters from other manufacturers would cause undue financial and efficiency burdens requiring, among other things, reconfiguration of AMI/AMR systems, retraining staff, and purchasing new software modules, resulting in substantial costs; and

WHEREAS, City Council finds that the standardization of water meters reduces maintenance complexity, decreases spare parts inventory, and lowers long-term expenses; and whereas, using multiple brands would result in inefficiencies and increased costs over time; and

WHEREAS, the Badger Meter Company has provided written confirmation that Atlas Utility Supply is the sole vendor from whom Badger Meters may be purchased.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AS FOLLOWS:

Section One. Findings. The recitals to this resolution are deemed the true and correct findings of City Council and are incorporated herein for all purposes.

Section Two. Declaration. It is hereby declared that the purchase of Badger Meters from Atlas Utility Supply qualifies for an exemption from state competitive procurement requirements.

Section Three. Authorization. The City Manager is hereby authorized to execute such ancillary documents and take such actions that may be reasonably necessary to facilitate the purpose of this resolution.

Section Four. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

Section Five. Effective Date. That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

PASSED AND APPROVED on this the 24th day of March 2025.

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Maria Gonzales, City Secretary