



## Folsom City Council Staff Report

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| <b>MEETING DATE:</b>   | 7/13/2021   |
| <b>AGENDA SECTION:</b> | Consent Calendar  |
| <b>SUBJECT:</b>        | Resolution No. 10659 – A Resolution Amending Resolution No. 10638 to Correct the Yearly Not-To-Exceed Amount of the Agreement with Badger Meter, Inc. for the Purchase of 1-inch Water Meters |
| <b>FROM:</b>           | Environmental and Water Resources Department  |

### **RECOMMENDATION / CITY COUNCIL ACTION**

The Environmental and Water Resources Department recommends that the City Council adopt Resolution No. 10659 – A Resolution Amending Resolution No. 10638 to Correct the Yearly Not-To-Exceed Amount of the Agreement with Badger Meter, Inc. for the Purchase of 1-inch Water Meters.

### **BACKGROUND / ISSUE**

On June 8, 2021, Resolution No. 10638 was approved by the City Council to execute an agreement with Badger Meter, Inc. for the purchase of 1-inch water meters. The meters obtained through this agreement will be purchased using funds from two sources, namely the Water Meter Fund (Fund 522) and the Water Operating Fund (Fund 520).

Following approval of Resolution No. 10638, staff identified that while the yearly amounts from each fund were identified in both the staff report and the pre-ambulatory clauses of Resolution No. 10638, the operative clause only included the yearly amount of \$110,250 funded through the Water Operating Fund (Fund 520) and omitted the \$220,500 to be funded through the Water Meter Fund (Fund 522).

The Environmental and Water Resources Department therefore requests an amendment to the operative clause of Resolution No. 10638 to authorize the combined total not-to-exceed amount of \$330,750 per year for five years.

**ATTACHMENT**

1. Resolution No. 10659 – A Resolution Amending Resolution No. 10638 to Correct the Yearly Not-To-Exceed Amount of the Agreement with Badger Meter, Inc. for the Purchase of 1-inch Water Meters
2. Resolution No. 10638 – A Resolution Authorizing the City Manager to Execute an Agreement with Badger Meter, Inc. for the Purchase of 1-Inch Water Meters and Rejecting all Bids for 1.5-Inch and 2-Inch Water Meters

Submitted,

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Marcus Yasutake, Director  
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

ATTACHMENT 1

**RESOLUTION NO. 10659**

**A RESOLUTION AMENDING RESOLUTION NO. 10638 TO CORRECT THE YEARLY NOT-TO-EXCEED AMOUNT OF THE AGREEMENT WITH BADGER METER, INC. FOR THE PURCHASE OF 1-INCH WATER METERS**

**WHEREAS**, staff has identified the need to purchase water meters for installing on new homes as required by State Law and to replace older water meters that may be reaching the end of their serviceable life; and

**WHEREAS**, a Request for Proposals (“RFP”) for 1-inch, 1.5-inch, and 2-inch water meters were issued on March 28, 2021; and

**WHEREAS**, Badger Meter, Inc. submitted the lowest responsive, responsible bid that met required specification for the 1-inch meters, opened on April 13, 2021; and

**WHEREAS**, funds will be made available in the Water Meter Fund (Fund 522) for \$220,500 per year for the next five fiscal years; and

**WHEREAS**, funds will be made available in the Water Operating Fund (Fund 520) for \$110,250 per year for the next five fiscal years; and

**WHEREAS**, these meters are to be purchased using funds from the Water Meter Fund (Fund 522) and the Water Operating Fund (Fund 520) for the total no-to-exceed amount of \$330,750 per year; and

**WHEREAS**, the City Council adopted Resolution No. 10638 on June 8, 2021 approving an agreement with Badger Meter, Inc. for the purchase of 1-inch meters; and

**WHEREAS**, City staff has identified the need to correct the yearly not-to-exceed amount stated in the operative clause of Resolution No. 10638 which includes the amount to be funded by Fund 520, but omits the amount to be funded by Fund 522.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Folsom that Resolution No. 10638 is hereby amended to correct the yearly not-to-exceed amount of the agreement with Badger Meter, inc. for the purchase of 1-inch water meters in the amount of \$110,250 from the Water Operating Fund (Fund 520) and \$220,500 from Water Meter Fund (Fund 522) for a total not to exceed amount of \$330,750.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of July, 2021, by the following roll-call vote:

**AYES:** Councilmember(s):  
**NOES:** Councilmember(s):  
**ABSENT:** Councilmember(s):  
**ABSTAIN:** Councilmember(s):

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Michael D. Kozlowski, MAYOR

ATTEST:

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Christa Freemantle, CITY CLERK

ATTACHMENT 2

**RESOLUTION NO. 10638**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO  
EXECUTE AN AGREEMENT WITH BADGER METER, INC. FOR  
THE PURCHASE OF 1-INCH WATER METERS AND REJECTING ALL BIDS  
FOR 1.5-INCH AND 2-INCH WATER METERS**

**WHEREAS**, staff has identified the need to purchase water meters for installing on new homes as required by State Law and to replace older water meters that may be reaching the end of their serviceable life; and

**WHEREAS**, a Request for Proposals (“RFP”) for 1-inch, 1.5-inch, and 2-inch water meters were issued on March 28, 2021; and

**WHEREAS**, Zenner USA submitted a non-responsive low bid for the 1-inch water meter that does not meet the City’s specifications in the RFP; and

**WHEREAS**, Badger Meter, Inc. submitted the lowest responsive, responsible bid that met required specification for the 1-inch meters, opened on April 13, 2021; and

**WHEREAS**, based on the City need of a more comprehensive meter bid to encompass multiple meter styles and technologies to meet operational needs, staff requests rejection of all 1.5-inch and 2-inch bids so a new request for bids, including large water meters up to 12-inch, can be issued; and

**WHEREAS**, funds will be made available in the Water Meter Fund (Fund 522) for \$220,500 per year for the next five fiscal years; and

**WHEREAS**, funds will be made available in the Water Operating Fund (Fund 520) for \$110,250 per year for the next five fiscal years; and

**WHEREAS**, the agreement will be in a form acceptable to the City Attorney.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Folsom that the low bid for 1-inch water meter submitted by Zenner USA is hereby rejected as being non-responsive to the City’s specifications in the RFP.

**BE IT FURTHER RESOLVED** that the City Manager is authorized to execute an agreement with Badger Meter, Inc. for the purchase of 1-inch water meters not to exceed \$110,250 per year for 5 years.

**BE IT FURTHER RESOLVED** that all bids received in response to the RFP for 1.5-inch and 2-inch water meters are hereby rejected.

**PASSED AND ADOPTED** this 8<sup>th</sup> day of June 2021, by the following roll-call vote:

**AYES:** Councilmember(s): Rodriguez, Aquino, Chalamcherla, Howell, Kozlowski

**NOES:** Councilmember(s): None

**ABSENT:** Councilmember(s): None

**ABSTAIN:** Councilmember(s): None

  
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Michael D. Kozlowski, MAYOR

**ATTEST:**

  
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Christa Freemantle, CITY CLERK