

RESOLUTION 2023-110
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING AN EXCEPTION TO THE COMPETITIVE PURCHASING PROCESS
WITH SMART MOBILITY OFFICE, UNIT OF PANASONIC CORPORATION OF
NORTH AMERICA FOR EQUIPMENT, SOFTWARE, CONSULTING AND
SUPPORT SERVICES FOR EXECUTION OF THE USDOT SMART GRANT

WHEREAS, the U.S. Department of Transportation (“USDOT”) has awarded the City \$1,059,037 (the “Grant”) to fund a project to create a municipal fleet electrification standard framework and deploy software to manage all City-owned electric vehicle “EV” charging locations, so that City EVs can be charged during times of lower energy demand, improving energy efficiency and reducing the cost to charge EVs (the “SMART Grid Project”); and

WHEREAS, the SMART Grid Project directly supports the City’s Climate Action Plan, which aims to reduce community greenhouse gas emissions by 80% by 2030 and achieve carbon neutrality by 2050; and

WHEREAS, the Grant was applied for in conjunction with Panasonic Corporation of North America (“Panasonic”) to conduct the SMART Grid Project; and

WHEREAS, on September 19, 2023, City Council adopted Ordinance No. 111, 2023, which approved funding for the contract with Panasonic equipment, software, and support services is funded by the Grant, a reimbursement type grant with general fund expenses being reimbursed up to award amount with no match requirement by the City; and

WHEREAS, the City’s Purchasing Agent has determined that there is only one reasonable source for this software, pursuant to the requirements in Section 8-161(d)(1)(a) of the City Code; and

WHEREAS, the Purchasing Agent and other City staff recommend the adoption of this Resolution; and

WHEREAS, the Purchasing Agent has submitted a written justification to the City Manager for approval, pursuant to the requirements in Section 8-161(d) of the City Code; and

WHEREAS, the City Manager has reviewed and approved the justification for the proposed exception to contract with Panasonic; and

WHEREAS, Section 8-161(d)(3) of the City Code requires City Council’s prior approval for all procurements which exceed \$200,000.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS, as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby approves the contract with Panasonic for up to five years to complete the work set forth within the USDOT SMART Grant Agreement, as an exception to the City's competitive purchasing process requirements, for the reasons set forth herein.

Section 3. That the Purchasing Agent may use this approval, as authorized in City Code Section 8-161(d)(4), as the basis for negotiating the purchase of services from Panasonic for a five-year term.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 5th day of December, 2023.

Mayor

ATTEST:

City Clerk