(O-2021-86)

ORDINANCE NUMBER O- 21290 (NEW SERIES)

DATE OF FINAL PASSAGE FEB 01 2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING EXTENSION OF AGREEMENT WITH EMERSON PROCESS MANAGEMENT POWER & WATER SOLUTIONS, INC. TO PROVIDE CLEANWATER OPERATIONS MANAGEMENT NETWORK (COMNET) DISTRIBUTED CONTROL SYSTEM (DCS) AND SUPERVISORY CONTROL & DATA ACQUISITION (SCADA) SYSTEMS SUPPORT SERVICES FOR PUBLIC UTILITIES' WASTEWATER AND WATER FACILITIES (RFP NO. 10089582-20-V).

WHEREAS, this action is to request authorization to execute a five (5) year agreement, with five (5), one (1) year options to renew, with Emerson Process Management Power & Water Solutions, Inc., in an amount not to exceed \$55 million, to provide COMNET DCS and SCADA Systems Support Services (RFP No. 10089582-20-V) to maintain the existing monitoring and control systems at wastewater and water facilities; and

WHEREAS, Public Utilities Department (PUD) utilizes COMNET DCS and SCADA to monitor and control critical wastewater and water infrastructure. Staff augmentation is currently provided by CGI Technologies and Solutions Inc. (CGI). This contract is managed by the Department of Information Technology (DoIT) and went into effect on May 24, 2012. It included a five-year base period, two annual extensions and a two-year disentanglement period and ultimately concludes in February 2022; and

WHEREAS, the services provided include network administration and programming; communication, and operational support for DCS at wastewater treatment plants, major pump stations, the collection system and monitoring the SCADA network. Due to the complexities of

these systems, a 6-12-month transition period is necessary to ensure a smooth transfer of knowledge and avoidance of a disruption in service. In 2019, DoIT recommended PUD seek out its own Agreement given the specialized operational technology services required; and

WHEREAS, on October 23, 2019, the City of San Diego (City) issued a Request for Proposal (RFP No. 10089582-20-V) to procure a vendor for continuation of Support Services for the PUD COMNET DCS & SCADA Systems, in accordance with the RFP requirements. The RFP closed on December 19, 2019, in which four proposals were received and evaluated. After thorough evaluation and interview process by PUD and DoIT, Emerson emerged as the highest ranked responsive and responsible proposer meeting all requirements of the RFP, therefore selected as the most qualified vendor. The City subsequently issued an Intent to Award notice to Emerson and all other proposers on February 25, 2020. The City reached an agreement on the Terms and Provisions with Emerson on September 18, 2020; and

WHEREAS, under Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by Ordinance approved by a two-thirds majority vote of the City Council; NOW THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor, or his designee, is authorized to execute, for and on behalf of said City to execute a five (5) year agreement, with five (5), one (1) year options to renew, with Emerson Process Management Power & Water Solutions, Inc. (Emerson), to provide COMNET Distributed Control System (DCS) and Supervisory Control & Data Acquisition (SCADA)

Systems Support Services to maintain the existing monitoring and control systems at the

wastewater and water facilities, in an amount not to exceed \$55 million, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$55 million, in total over ten (10) years, of which \$2,421,440 is estimated to be spent in FY 2021 (\$34,592 from Fund 700000, Muni Sewer Revenue, \$1,695,008 from Fund 700001, Metro Sewer Utility, and \$691,840 from Fund 700011, Water Utility Operating) and \$52,578,560 for all subsequent years (estimated to be \$751,122 from Fund 700000, Muni Sewer Revenue, \$36,804,992 from Fund 700001, Metro Sewer Utility, and \$15,022,446 from Fund 700011, Water Utility Operating), for the purpose of funding the DCS and SCADA Systems Support Services agreement with Emerson, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 3. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 4. That a full reading of this Ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 5. That this Ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By <u>/s/ Christine M. Leone</u>
Christine M. Leone
Chief Deputy City Attorney

CML:soc 01/07/2021 Or.Dept: PUD CC# 3000013715 Doc. No.: 2551186

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of <u>01/26/2021</u>.

ELIZABETH S. MALAND City Clerk

By /s/ Stacy D. Ready
Deputy City Clerk

Approved: 1/27(2) (date)

Vetoed: _____(date)

TODD GLORIA, Mayor

"The date of final passage is February 1, 2021, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval."

The City of San Diego COMPTROLLER'S CERTIFICATE

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Passed by the Council of The City of	San Diego on	JAN 26 2021	_, by the following vote:							
Councilmembers You	eas Nays	Not Present	Recused							
Joe LaCava										
Jennifer Campbell										
Stephen Whitburn										
Monica Montgomery Steppe										
Marni von Wilpert										
Chris Cate	Ø, O									
Raul A. Campillo										
Vivian Moreno	\mathbf{Z}_{\perp}									
Sean Elo-Rivera										
Date of final passage FEB 0	1 2021									
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AUTHENTICATED BY:	N	TODD GLORIA Mayor of The City of San Diego, California.								
(Seal)	Cit	<u>ELIZABETH S</u> v Clerk of The City of	5. MALAND f San Diego, California.							
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	Ву	Sta (Re	Deputy							
I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on										
JAN 1 2 2021	, and on	FEB (1 2021							
I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.										
		ELIZABETH S								
(Seal)	Cit	y Clerk of The City of	f San Diego, California.							
	Ву	It f here	, Deputy							
	Office o	f the City Clerk, San (Diego, California							
	Ordinance	Number O	21290							

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