

RESOLUTION NUMBER R- 314824

DATE OF FINAL PASSAGE MAY 23 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING AWARD OF CONTRACT TO
BADGER METER, INC. FOR THE PURCHASE OF WATER
METERS (RFP 100898854-22-W) AND RELATED ACTIONS.

WHEREAS, the City of San Diego's (City) Public Utilities Department (Department) requires a reliable supply of new water meters to replace damaged or broken meters, in order to ensure proper meter functioning and billing accuracy; and

WHEREAS, the City issued a request for proposals to supply the City with new water meters on May 13, 2022, and Badger Meter, Inc. (Vendor) submitted the only proposal in response to the request, and was determined to be responsive and responsible; and

WHEREAS, the proposed agreement with Vendor to supply the City water meters, which is included in the staff materials accompanying this resolution, is a one year contract, with four 1-year options that are exercisable in the City's sole discretion, with a not to exceed amount of \$30,000,000 (Contract); and

WHEREAS, the Council of the City of San Diego (Council) desires to retain authority related to the exercise of the option years, and is requiring that the Department bring an item to Council for approval prior to exercising the first option to extend the Contract; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that:

1. The Contract with Vendor to supply water meters in accordance with the terms and conditions set forth in the Contract, for a one-year term with four 1-year options to extend

the Contract, and a not to exceed amount of \$30,000,000, which once signed by all Parties and approved by the City Attorney will be on file with the Office of the City Clerk as Document No. ^{RR}314824 is approved.

2. The Mayor is authorized to sign and deliver the Contract, however, the Mayor is not authorized to exercise any options under the Contract without further authorization from the Council by resolution.

3. The Chief Financial Officer is authorized to expend an amount not to exceed \$6,000,000 for the one year term of the Contract from Fund 700011, Water Utility Operating Fund, for the purpose of funding the Contract, 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 the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By Melissa Ables
Melissa D. Ables
Chief Deputy City Attorney

MDA:cw
April 25, 2023
Or.Dept: Public Utilities
CC No.: N/A
Doc. No. 3286938

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 16 2023

DIANA J.S. FUENTES
City Clerk

By *Connie Patterson*
Deputy City Clerk

Approved: 5/23/23
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAY 16 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 23 2023.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

(Seal)

TODD GLORIA
Mayor of The City of San Diego, California.

DIANA I.S. FUENTES
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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