

**City of Culver City, California
Agenda Item Report**

Meeting Date: 09/12/2011		Item Number: <u>C-5</u>	
CITY COUNCIL AGENDA ITEM: FOUR-FIFTHS VOTE REQUIREMENT - (1) Approval to Purchase and Install Replacement Parts for the Emergency Notification System and the Sewer Flow Monitoring System (ENS/SFMS); and (2) Approval of an Amendment to Utility Systems, Science and Software Incorporated Existing Professional Services Agreement; and (3) Approval of a Budget Amendment Related Thereto.			
Contact Person/Dept.: Gabe Garcia/PW		Phone Number: (310) 253-5633	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☐ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-Mail) Meetings and Agenda – City Council (09/07/2011); (E-Mail) Utility Systems, Science and Software, Inc.			
Department Approval: Charles D. Herbertson(09/01/11)		City Attorney Approval: Carol A. Schwab (by H. Baker) (09/08/11)	
Chief Financial Officer Approval: Jeff Muir (09/07/11)		City Manager Approval: John M. Nachbar (09/08/11)	
<u>RECOMMENDATION:</u> Staff recommends the City Council 1) approve the purchase and installation of replacement parts for the Sewer Emergency Notification System and Sewer Flow Monitoring System; 2) approve an amendment to the existing professional services agreement with Utility Systems, Science, and Software Inc, and (3) approve a budget amendment related thereto. <u>BACKGROUND:</u> On March 23, 2009, the City Council approved a five-year professional services agreement with US3 (in one-year renewable increments), for the maintenance of the Emergency Notification System and Sewer Flow Monitoring System (ENS/SFMS), in the amount of \$277,325 and authorized 10% of the contract amount for change orders. The professional services agreement excludes the replacement of parts for the ENS/SFMS, and staff committed to return to the City Council to obtain authorization to purchase parts on a future occasion. On September 14, 2009, after a thorough baseline survey of the seven pump stations and 11 field monitoring sites, staff returned to the City Council and requested authorization to purchase the parts needed for maintenance of the ENS/SFMS. At that time, the City Council approved a sole-source agreement with US3 for parts, in an amount not to exceed \$303,771, plus 10% contingency, and concurrently approved an amendment to the professional services agreement in an amount not to exceed \$93,750 for the additional labor required.			

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DISCUSSION:

As indicated two years ago, staff anticipated that more parts would be needed to replace failing components, aging parts, and equipment that is no longer readily available. Additionally, in the process of managing the sewer system with the goals of spill-prevention, maintaining uptime, and sewer flow data collection to comply with our Amalgamated Agreement with the City of Los Angeles for processing of Culver City's sewage, additional functionality by the ENS/SFMS is necessary.

To accomplish the aforementioned goals, staff has worked with US3 to identify the parts that currently require replacement. The attached Table 1 contains the parts and services to accomplish the recommended maintenance and new functionality. A total of \$303,931 is required to purchase parts and services for the on-going maintenance and enhancement of the ENS/SFMS.

Staff recommends entering into a single-source agreement with US3 because the firm is the dealer in the Southern California area for most parts used in the ENS/SFMS system, and/or an integrator of those parts for which they are not a dealer. Additionally, they have nearly 10 years' experience with the ENS/SFMS system in Culver City and their knowledge of the system affords positive economies of time. Furthermore, US3 will provide the parts at their cost, without charging the City overhead – in some instances, that cost is less than the City would pay if it purchased the part rather than through a dealer. Finally, management of the project will be simplified in that staff will not need to work with two or more contractors, which is particularly beneficial and prevents a situation of one contractor attributing a failure to another contractor.

The additional professional services hours required to replace the parts and components, plus to calibrate and test them, are estimated to be 702 hours, for a total cost of \$101,805. Staff recommends that the existing professional services agreement with US3 be amended to increase the contract amount for the current contract year three (out of five), in an amount not to exceed \$101,805.

FISCAL ANALYSIS:

The parts agreement and the amendment to the professional services agreement will be funded by the Sewer Enterprise Fund, budget line item 20466100.600220. A budget amendment to transfer \$405,735 from the sewer fund reserve to 20466100.600220 is required.

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ATTACHMENTS:

1. Table 1 – Emergency Notification System/Sewer Flow Monitoring System (ENS/SFMS), Parts and Services Needed for Year 3 of 5

MOTIONS:

That the City Council:

1. Approve a budget amendment appropriating \$405,735 from the Sewer Enterprise Fund; and,
2. Approve the purchase of parts and services for the ENS/SFMS, for a not-to-exceed amount of \$303,931; and,
3. Approve an amendment to the existing professional services agreement with Utility Systems, Science, and Software, Inc., for a not-to-exceed amount of \$101,805; and,
4. Authorize the City Attorney to review/prepare the necessary documents; and,
5. Authorize the City Manager to execute such documents on behalf of the City.