

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A SUPPLEMENTAL SERVICES AGREEMENT WITH ACLARA TECHNOLOGIES, LLC. TO DIAGNOSE, REPAIR, REMOVE, AND REPLACE ADVANCED METERING INFRASTRUCTURE SYSTEM COMPONENTS AT APPROXIMATELY 840 WATER SERVICE LOCATIONS IN THE CITY IN AN ESTIMATED AMOUNT OF \$97,050.54 BASED UPON SECTION 38.41(C)(9) OF THE PROCUREMENT CODE (BEST INTEREST); AMENDING THE FISCAL YEAR 2022 ADOPTED OPERATING BUDGET.

WHEREAS, the Department of Public Utilities ("Department") owns, operates, and maintains an advanced metering infrastructure ("AMI") system that records, collects, and transmits water consumption data to the Department's billing system; and

WHEREAS, the Department's AMI system was installed between 2009 and 2012 and consists of approximately 41,500 water meters, registers, Meter Transmission Unit ("MTUs") and Data Collection Units ("DCUs"); and

WHEREAS, approximately 10,771 Legacy 501 MTUs were replaced by Aclara Technologies, LLC. ("Aclara") under warranty or by the City; and

WHEREAS, in 2018, the production of Legacy 501 MTUs was discontinued and as a result, approximately 11,330 Legacy 501 MTUs (27% of the MTUs in the system) were replaced by the newer Series 3400 units under warranty by Aclara or by the City; and

WHEREAS, the Department's AMI system currently has approximately 19,350 Legacy 501 MTUs remaining that are failing at a high rate due to their age, battery life, wiring connections, environmental conditions, or a combination thereof; and

WHEREAS, a majority of the water meters and registers are also past their useful life and a combination of the aforementioned issues are resulting in

inaccurate or missed readings, poor or no transmission of consumption data, and other similar issues; and

WHEREAS, due to the current high rate of failures at various service locations, Department staff are unable to meet the repairs and replacement demands of the AMI system components, and therefore need assistance from Aclara, who is the manufacturer and sole provider of the MTUs in the State of Florida, to expeditiously address critical locations; and

WHEREAS, Aclara is the sole manufacturer of the MTUs and is the only company that can provide the needed expertise and knowledge to perform this work, and does not certify any companies to troubleshoot field MTUs related issues that this project requires; and

WHEREAS, on June 8, 2021, Aclara provided a quote in the amount of \$97,050.54, which includes a base cost of \$77,844.04 and \$19,206.50 for additional installation services, as needed, for diagnosing, repairs and installation services; and

WHEREAS, the Department will furnish replacement components such as MTUs, meters, and registers; and

WHEREAS, Section 38.41(C)(9) of the City's Procurement Code provides that when the City Commission declares by a 5/7ths vote that competitive bidding and competitive proposals are not in the best interest of the City, such purchases are exempt from the competitive bidding and competitive proposal requirements; and

WHEREAS, the Director of the Department of Public Utilities has determined that it is in the City's best interest to execute the attached Supplemental Services Agreement with Aclara for the diagnosing, repair, removal, and replacement of AMI system components at approximately 840 water service locations in the City; and

WHEREAS, the Fiscal Year 2022 Operating Budget of the City of Hollywood was adopted and approved by the City Commission pursuant to Resolution R-2021-244 at the second Public Budget Hearing on September 23, 2021; and

WHEREAS, this Resolution seeks to amend the budget as detailed in the attached Exhibit "1"; and

WHEREAS, funding will be made available in account number 442.400201.53600.552260.000000.000.000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution, by the appropriate City officials, of the attached Supplemental Services Agreement with Aclara Technologies, LLC., together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That these Amendments to the Operating Budget of the City of Hollywood for the Fiscal Year beginning October 1, 2021, relating to the Water and Sewer Fund and set forth in detail in the attached Exhibit "1" are adopted and authorized as Amendments to the Operating Budget of the City of Hollywood for the Fiscal Year 2022.

Section 4: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY for the use and reliance  
of the City of Hollywood, Florida, only.

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DOUGLAS R. GONZALES  
CITY ATTORNEY