

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AMENDMENT NO. 1 WITH ACLARA TECHNOLOGIES, LLC. TO UPGRADE THE ACLARA CONTRACT TO INCLUDE MOBILE PROGRAMMER AND DCU MAINTENANCE, ALONG WITH PROFESSIONAL SERVICES IN AN ANNUAL AMOUNT UP TO \$4,964.64 FOR THREE YEARS, WHICH INCLUDES A ONE TIME TRAINING FEE IN AN AMOUNT UP TO \$5,725.00 PURSUANT TO SECTION 38.41(C)(2) OF THE PROCUREMENT CODE. (“SOLE SOURCE”)

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 consists of a water meter with a register to record water consumption at each service location, and the water consumption data recorded by each register is collected and transmitted by a meter transmission unit (“MTU”) to a network of data collection units (“DCUs”); and

WHEREAS, the Department’s AMI System was installed between 2009 and 2012 and consists of approximately 41,500 MTUs and 10 DCUs; and

WHEREAS, the DCUs transmit consumption data to the Aclara Technologies LLC’s (“Aclara”) Meter Data Management System called “STAR”, which interfaces with the City’s billing system, MUNIS, that generates monthly billing data; and

WHEREAS, the Aclara STAR Software was discontinued and no longer supported after June 30, 2022, thus requiring an upgrade to AclaraOne cloud-based software, which is sold exclusively by Aclara; and

WHEREAS, on July 28, 2021, Aclara provided a proposal for installation of cloud-based AclaraOne software, which includes professional services consisting of project management, coordination, AclaraOne software solution, product

training and software acceptance, and SaaS services for five years in an amount up to \$46,137.64, which includes a one-time software set-up fee in an amount up to \$54,000.00; and

WHEREAS, on December 20, 2021, the Office of Procurement and Contract Compliance posted a Notice to Sole Source Number NTSS-017-22 electronically on BidSync for five business days with an expiration date of December 27, 2021, and did not receive any inquiries or comments relating to the Notice; and

WHEREAS, on February 22, 2024, Aclara provided Amendment No.1 for Aclara's Mobile Programmer Interactive Mode software in an annual amount up to \$4,964.64 for three years, which includes a one-time OrgAdmin Training fee in an amount up to \$5,725.00; and

WHEREAS, Section 38.41(C)(2) of the City's Procurement Code exempts sole-source goods, supplies, materials, equipment and services, such as unique, patented, or franchised goods, supplies, materials, equipment or services, from the competitive bid requirements if the Chief Procurement Officer determines after conducting a good faith review of available sources, that the particular supply or service is available from one source. Such purchases in excess of \$100,000 shall be approved by the City Commission; and

WHEREAS, a portion of the funding for this service is available in the FY 2024 Operating Budget in account number 442.400203.53600.552260.000000.000.000, and will be budgeted in subsequent fiscal years' operating budgets subject to approval and adoption by the City Commission.

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 amendment No. 1 with Aclara, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AMENDMENT NO.1 WITH ACLARA TECHNOLOGIES, LLC.

PASSED AND ADOPTED this _____ day of _____, 2024.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM

DOUGLAS R. GONZALES
CITY ATTORNEY