



## Legislation Details (With Text)

**File #:** 1024-2020 **Version:** 1

**Type:** Ordinance **Status:** Passed

**File created:** 4/17/2020 **In control:** Public Utilities Committee

**On agenda:** 6/15/2020 **Final action:** 6/18/2020

**Title:** To authorize the City Auditor to transfer \$1,500,000.00 between Object Classes with the Electricity Operating Fund; to authorize the Director of Public Utilities to enter into a service contract with Sensus USA, Inc. in an amount up to \$75,346,819.86 for the Enhanced Meter Project; to authorize the appropriation and expenditure of up to \$74,843,751.86 from the Water Supply Revolving Loan Account (WSRLA) Fund to include eligible costs including the service contract, contingency, and loan origination fees; to authorize a transfer and expenditure of up to \$2,000.00 within the Water General Obligations Bond Fund for prevailing wage fees; to authorize the expenditure of up to \$1,500,000.00 from the Electricity Operating Fund for the Division of Power's contribution; to authorize the Director of Public Utilities to enter into a long term Spectrum Lease Agreement; to waive the provisions of Columbus City Code relating to Requests for Proposals; and to amend the 2019 Capital Improvements Budget. (\$76,345,751.86)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD 1024-2020 Information, 2. ORD 1024-2020 Utilization, 3. ORD 1024-2020 Bid Waiver Form, 4. ORD 1024-2020 Spectrum Manager Lease, 5. ORD 1024-2020 Funding

Date	Ver.	Action By	Action	Result
6/18/2020	1	CITY CLERK	Attest	
6/17/2020	1	MAYOR	Signed	
6/15/2020	1	COUNCIL PRESIDENT	Signed	
6/15/2020	1	Columbus City Council	Approved	Pass
6/1/2020	1	Columbus City Council	Read for the First Time	

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a service contract with Sensus USA, Inc. for the Enhanced Meter Project. This is a joint project between the Division of Water and the Division of Power. Funds in the amount of \$2,000.00 will also be encumbered for prevailing wage services to the Department of Public Service.

The intent of this project is to provide the City of Columbus, Department of Public Utilities with the supply and installation of power meters, the installation of city issued water meters, the supply and installation of all communications infrastructure, and all software required to operate an Enhanced Meter System to interface with the City of Columbus systems and applications. The Division of Water (DOW) and the Division of Power (DOP) will be funding this project through various funding sources. The solution will allow both DOW and DOP to collect meter readings and provide enhanced services for DOW's approximately 300,000 customers/accounts and DOP's approximately 13,500 customers/accounts.

This Ordinance also authorizes the Director of Public Utilities to enter into a long term Spectrum Lease Agreement in order to operate Sensus's FlexNet equipment. The spectrum that Sensus is leasing is authorized by Sensus's FCC License (s) and is limited to the service area where the FlexNet equipment will be operated. The frequencies of the FCC License

within City's geographic Service Area are called the "Leased Spectrum" and the City will pay fees to Sensus for the use of the Leased Spectrum.

Planning area: "99 - Citywide" (Entire service area including suburbs)

The Water Portion of this project has been approved for below market rate loan financing through the Ohio Environmental Protection Agency's Water Supply Revolving Loan Account (WSRLA) which is administered by the Ohio Water Development Authority (OWDA). Loan No. 8884 was awarded April 30, 2020. Federal Davis Bacon Wage Rates and Requirements will apply.

**2. THE PROJECT TIMELINE:** The term of this Contract shall begin on the Effective Date and shall continue for 1500 calendar days after the date of the Notice to Proceed in accordance with the approved schedule included in the Statement of Work. The City shall issue the Notice to Proceed within 90 calendar days of the Effective Date, after which Contractor shall promptly begin work.

Assuming the NTP is issued September 1, 2020, the substantial completion date would be October 10, 2024.

**3. BID INFORMATION:** The selection of the firm providing the services has been performed in accordance with the procedures set forth in Columbus City Code, Section 329.28. The evaluation criteria included: 1. Understanding of Project, 2. Environmental Considerations, 3. Past Performance, 4. Local Workforce, in addition to 5. Warranty, and 6. Support, Maintenance, & Training.

On March 22, 2019, the Department received four (4) proposals from Sensus USA, Aclara Technologies, Itron, and Cellco Partnership DBA Verizon Wireless.

An evaluation committee reviewed the proposals and scored them based on the criteria mentioned above. The Department of Public Utilities recommends the award be made to Sensus USA, Inc. Based on the nature of the services to be provided, the use of various funding sources, and the timeline for the implementation of various phases of the project, two contracts will be executed. One contract will provide for the initial supply and installation of meters and the communications infrastructure. The second contract will provide for the software, operation support, and maintenance necessary for the ongoing operation of the Enhanced Meter System and will be authorized under separate legislation.

The Department of Public Utilities requests a waiver of the provisions of Chapter 329 related to procurement to authorize the execution of both contracts pursuant to the RFP process described above.

The Contract Compliance Number for Sensus USA, Inc. is 51 0338883 (exp. 4/13/22, MAJ, DAX #8960).

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Sensus USA, Inc.

**4. ECONOMIC/ENVIRONMENTAL IMPACT:** The Enhanced Meter Project will replace outdated and under-performing meters, install radio transmitting infrastructure to allow wireless readings relayed to the billing software at a central location, and provide an environmentally efficient way to read meters. The project will greatly enhance customer service capabilities, make improvements to operational efficiency, and provide increased revenue protection. There is extensive community outreach included in the contract. The project is also expected to have a positive environmental impact by reducing the number of vehicles on the road.

**5. FISCAL IMPACT:** The total amount to be legislated is \$76,345,751.86, which includes the service contract, loan origination fees, Operation and Maintenance fees from the Division of Power, and prevailing wage fees.

The amount awarded to Sensus USA, Inc. is \$75,346,819.86.

Funding for this project will come from three sources: the Water Supply Revolving Loan Account (WSRLA) Fund, Fund

No. 6011, the Water G.O. Bonds Fund, Fund No. 6006, and the Electricity Operating Fund, Fund No. 6300.

An appropriation of \$74,843,751.86 is needed in the Water Supply Revolving Loan Account (WSRLA) Fund, Fund No. 6011. This amount comprises \$73,846,819.86 for Water's share of the contract plus \$996,932.00 for loan origination fees.

A transfer of \$2,000.00 (prevailing wage charges) is needed within the Water G.O. Bonds Fund, Fund No. 6006.

A transfer between object classes is necessary within the Electricity Operating Fund, Fund No. 6300, to align budget authority with the projected expenditures (\$1,500,000.00).

An amendment to the 2019 Capital Improvements Budget is also necessary.

To authorize the City Auditor to transfer \$1,500,000.00 between Object Classes with the Electricity Operating Fund; to authorize the Director of Public Utilities to enter into a service contract with Sensus USA, Inc. in an amount up to \$75,346,819.86 for the Enhanced Meter Project; to authorize the appropriation and expenditure of up to \$74,843,751.86 from the Water Supply Revolving Loan Account (WSRLA) Fund to include eligible costs including the service contract, contingency, and loan origination fees; to authorize a transfer and expenditure of up to \$2,000.00 within the Water General Obligations Bond Fund for prevailing wage fees; to authorize the expenditure of up to \$1,500,000.00 from the Electricity Operating Fund for the Division of Power's contribution; to authorize the Director of Public Utilities to enter into a long term Spectrum Lease Agreement; to waive the provisions of Columbus City Code relating to Requests for Proposals; and to amend the 2019 Capital Improvements Budget. (\$76,345,751.86)

**WHEREAS**, four (4) proposals for the Department of Public Utilities's Enhanced Meter Project were received on March 22, 2019; and

**WHEREAS**, the selection of the firm providing the services has been performed in accordance with the procedures set forth in Columbus City Code, Section 329.28, relating to Request for Proposals; and

**WHEREAS**, based on the nature of the services to be provided, the use of various funding sources, and the time for implementation of various phases, two contracts will be executed; and

**WHEREAS**, the first contract will provide for the initial supply and installation of meters and communications infrastructure and the second contract will provide for the software, operation support, and maintenance necessary for the ongoing operation of the Enhanced Meter System; and

**WHEREAS**, the second contract will be authorized under separate legislation; and

**WHEREAS**, the Department of Public Utilities requests a waiver of the provisions of Chapter 329 related to procurement to authorize the execution of both contracts pursuant to the RFP process described above; and

**WHEREAS**, the Department of Public Utilities recommends that a service contract be awarded to Sensus USA, Inc. in the amount of \$75,346,819.86; and

**WHEREAS**, this Ordinance authorizes the Director of Public Utilities to enter into a long term Spectrum Lease Agreement in order to operate Sensus's FlexNet equipment; and

**WHEREAS**, the Ohio Water Development Authority (OWDA) approved Ohio EPA Water Supply Revolving Loan Account (WSRLA) Fund Loan No. 8884 with the City of Columbus on April 30, 2020, in the amount of \$74,843,751.86

to provide financing for the above listed project with eligible costs including the service contract, contingency, and loan origination fees; and

**WHEREAS**, it is necessary to authorize the appropriation and expenditure of the proceeds from the aforementioned loan; and

**WHEREAS**, it is necessary to authorize a transfer and expenditure up to \$2,000.00 within the G.O. Voted Bonds Fund; and

**WHEREAS**, it is necessary to authorize a transfer and expenditure up to \$1,500,000.00 within the Electricity Operating Fund. Funds for the transfer have been identified and are available in Object Class 03 (Services); and

**WHEREAS**, it is necessary to authorize an amendment to the 2019 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditures; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Director to enter into a service contract with Sensus USA, Inc. for the Enhanced Meter Project and to authorize the Director to enter into a long term Spectrum Lease Agreement, for the preservation of the public health, peace, property, safety; now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Public Utilities is hereby authorized to enter into a service contract with Sensus USA, Inc., 637 Davis Drive, Morrisville, NC 27560 in the amount of \$75,346,819.86 for the Enhanced Meter Project in accordance with the terms and conditions as shown in the contract on file in the office of the Division of Water and to obtain the necessary prevailing wage services from the Department of Public Services up to a maximum amount of \$2,000.00.

**SECTION 2.** That the said company, Sensus USA, Inc., shall perform the work to the satisfaction of the Director of Public Utilities and the Administrators of the Division of Water and Division of Power.

**SECTION 3.** That this Council finds it in the best interest of the City of Columbus to waive the provisions of Chapter 329 of City Code relating to Requests for Proposals in order to contract with Sensus USA, Inc. for the Enhanced Meter Project, and such provisions are hereby waived.

**SECTION 4.** That the Director of Public Utilities is also authorized to enter into a long term Spectrum Lease Agreement.

**SECTION 5.** That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2020, the sum of \$74,843,751.86 is appropriated in the Water Supply Revolving Loan Account Fund, Fund No. 6011, per the account codes in the attachment to this ordinance.

**SECTION 6.** That the transfer of \$2,000.00 or so much thereof as may be needed, is hereby authorized within the Water G.O. Bond Fund, Fund 6006, per the accounting codes in the attachment to this ordinance.

**SECTION 7.** That the 2019 Capital Improvements Budget is hereby amended, as follows:

**Fund No. 6011 (WSRLA):**

**Project No. | Project Name | Current Authority | Revised Authority | (Change)**

P690358 100000 (NEW) | Auto. Meter Rdng. | \$30,000,000 | \$0 | \$30,000,000 (authority not needed in this suffix)

P690358 100002 (NEW) | Auto. Meter Rdng. Constr. | \$0 | \$74,843,752 | +\$74,843,752 (establish authority to match

expenditure)

**Fund No. 6006 (Water G.O. Bonds):**

**Project No. | Project Name | Current Authority | Revised Authority | (Change)**

P690395 100001 (carryover) | 2017 Main Line Valve Repl. | \$13,894 | \$11,894 | -\$2,000

P690358 100002 (carryover) | Auto. Meter Rdng. Constr. | \$0 | \$2,000 | +\$2,000

**SECTION 8.** That the appropriation and expenditure of \$74,843,751.86 or so much thereof as may be needed, is hereby authorized in the Water Supply Revolving Loan Account Fund, Fund No. 6011, per the account codes in the attachment to this ordinance.

**SECTION 9.** That the expenditure of \$2,000.00, or so much thereof as may be needed, is hereby authorized within the Water G.O. Bonds Fund, Fund No. 6006.

**SECTION 10.** That the transfer and expenditure of \$1,500,000.00, or so much thereof as may be needed, is hereby authorized within the Electricity Operating Fund, Fund No. 6300, in object class 03 Services per the accounting codes in the attachment to this ordinance.

**SECTION 11.** That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

**SECTION 12.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated and the City Auditor shall establish such accounting codes as necessary.

**SECTION 13.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 14.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 15.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.