



## Legislation Details (With Text)

**File #:** 0385-2008      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 2/22/2008      **In control:** Finance & Economic Development Committee  
**On agenda:** 3/17/2008      **Final action:** 3/19/2008

**Title:** To authorize and direct the Finance & Management Director to modify an existing contract with Itron, Inc., for the purchase of upgraded software to replace software no longer supported by the contractor and for the purchase of its companion hardware and maintenance used by the Division of Power and Water for its data capturing system and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By                     | Action                             | Result |
|-----------|------|-------------------------------|------------------------------------|--------|
| 3/19/2008 | 1    | CITY CLERK                    | Attest                             |        |
| 3/18/2008 | 1    | MAYOR                         | Signed                             |        |
| 3/17/2008 | 1    | Columbus City Council         | Approved                           | Pass   |
| 3/17/2008 | 1    | COUNCIL PRESIDENT PRO-TEM     | Signed                             |        |
| 3/3/2008  | 1    | ODI DIRECTOR                  | Reviewed and Approved              |        |
| 3/3/2008  | 1    | Finance - Purchasing Drafter  | Sent for Approval                  |        |
| 3/3/2008  | 1    | CITY ATTORNEY                 | Reviewed and Approved              |        |
| 3/3/2008  | 1    | Finance - Purchasing Drafter  | Sent to Clerk's Office for Council |        |
| 2/28/2008 | 1    | EBOCO Reviewer                | Reviewed and Approved              |        |
| 2/27/2008 | 1    | Finance - Purchasing Reviewer | Reviewed and Approved              |        |
| 2/27/2008 | 1    | FINANCE DIRECTOR              | Reviewed and Approved              |        |
| 2/27/2008 | 1    | Finance - Purchasing Drafter  | Sent for Approval                  |        |
| 2/26/2008 | 1    | Finance - Purchasing Drafter  | Sent for Approval                  |        |

**BACKGROUND:** In 2005 and 2007, Ordinances 0587-2005, 1019-2005 and 0739-2007 were passed authorizing the purchase of new equipment from Itron, Inc., to modify the contract CT-09367 and to create contract FL003623 that would identify Itron, Inc. as a sole source provider for maintenance of the data capturing system used by the Division of Power & Water (DOPW) for meter reading and billing and to include Universal Term Contract language, respectively.

The Division has requested that the Finance & Management Purchasing Office further modify the present contract to allow for the purchase Itron mv-90 xi software, companion equipment and maintenance. This software will replace a previous version that Itron no longer supports. It will be used to extract meter data from metering handhelds presently used by the DOPW. This upgraded software will also allow the user to view electricity billing data and run various reports for DOPW's customers. Additional benefits of having this upgraded software will enable the DOPW to coincidental bill customers.

Itron, Inc., CC#911011792, Expires 3/26/2009  
Estimated Annual Expenditure: \$42,500.00

1. Amount of additional funds: No additional funds are necessary to modify the contract.
2. Reason additional needs were not foreseen: This modification is in the best interest of the City because it will replace software and equipment no longer supported by Itron.
3. Reason other procurement processes not used: Adding other supplier's equipment or allowing other companies to maintain the system will void the equipment warranty.
4. How cost was determined: Costs were negotiated.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

FISCAL IMPACT: The Department of Public Utilities, Division of Power & Water will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

To authorize and direct the Finance & Management Director to modify an existing contract with Itron, Inc., for the purchase of upgraded software to replace software no longer supported by the contractor and for the purchase of its companion hardware and maintenance used by the Division of Power and Water for its data capturing system and to declare an emergency.

WHEREAS, the Division of Power and Water had established a contract with Itron, Inc. for a data capturing system with Itron, Inc. and this company had been designated as the sole source for software, hardware and maintenance for this system and Universal Contract Terminology was added to the contract; and

WHEREAS, this system is used by the Division of Power & Water to read meters and bill customers so it is critical to daily operations of the agency; and,

WHEREAS, Itron, Inc., is the sole provider of this system, so any system additions or maintenance performed by another vendor would void the warranty for this equipment; and

WHEREAS, the modification of this contract will enable the Division of Power and Water (DOPW) to purchase Itron mv-90 xi software, companion equipment and maintenance. This software, companion equipment and maintenance to be purchased will replace a previous version that Itron no longer supports. This upgraded software will be used to extract meter data from metering handhelds presently used by the DOPW. Additional benefits of having this software will enable the DOPW to coincidental bill customers.

WHEREAS, an emergency exists in the usual daily operation of the Division of Power and Water, in that it is immediately necessary to authorize the Finance & Management Director to modify the contract with Itron, Inc. as an emergency measure in order to prevent uninterrupted billing for services for the immediate preservation of public health, peace, property and safety; now, therefore,

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

SECTION 1. That the Finance & Management Director be and is hereby authorized to modify contract FL003623 with Itron, Inc., by adding upgraded software, companion hardware and maintenance to the contract for the Division of Power and Water's data capturing system.

SECTION 2. That there is no additional funds needed to modify this contract for the addition of the upgraded software, companion hardware and maintenance.

SECTION 3. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.