



Legislation Details (With Text)

**File #:** ID-118-17      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Agenda Ready

**File created:** 2/28/2017      **In control:** City Council

**On agenda:** 3/7/2017      **Final action:**

**Title:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, FINDING THAT GOOD CAUSE EXISTS AND THAT IT IS IN THE BEST INTERESTS OF THE CITY TO WAIVE THE FORMAL BID PROCESS FOR THE WATERSMART SOFTWARE CONSERVATION PROGRAM AND APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH WATERSMART SOFTWARE, INC. IN THE AMOUNT OF SIXTY THREE THOUSAND THREE HUNDRED FORTY SIX DOLLARS (\$63,346) FOR 2017, WITH UP TO TWO OPTIONAL ANNUAL RENEWALS THROUGH 2019, SUBJECT TO ANNUAL APPROPRIATION THEREFOR; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENTS ON BEHALF OF THE WATER ACTIVITY ENTERPRISE; AND SETTING FORTH OTHER DETAILS RELATED THERETO

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Reso Waive Bid Approve PFS March 2017. CLEAN, 2. Watersmart 2017 Contract, 3. Attachment A - WaterSmart Proposal and Overview for Brighton 2017-2018

Date	Ver.	Action By	Action	Result
3/7/2017	1	City Council		

**Department of Utilities**

**Reference:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ENTERPRISE, FINDING THAT GOOD CAUSE EXISTS AND THAT IT IS IN THE BEST INTERESTS OF THE CITY TO WAIVE THE FORMAL BID PROCESS FOR THE WATERSMART SOFTWARE CONSERVATION PROGRAM AND APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH WATERSMART SOFTWARE, INC. IN THE AMOUNT OF SIXTY THREE THOUSAND THREE HUNDRED FORTY SIX DOLLARS (\$63,346) FOR 2017, WITH UP TO TWO OPTIONAL ANNUAL RENEWALS THROUGH 2019, SUBJECT TO ANNUAL APPROPRIATION THEREFOR; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENTS ON BEHALF OF THE WATER ACTIVITY ENTERPRISE; AND SETTING FORTH OTHER DETAILS RELATED THERETO

**To:** Mayor Richard N. McLean and Members of City Council

**Through:** Clint Blackhurst, Acting City Manager

Chontel Trujillo, Assistant City Manager of Operations

**Prepared By:** Curtis Bauers, Utilities Director

**Date Prepared:** February 27, 2017

**PURPOSE**

To consider a resolution finding good cause to waive the formal bid process for the WaterSmart Software Conservation Program and awarding a Professional Services Agreement to WaterSmart Software, Inc. in the amount of \$63,346 for the period of April 1, 2017 - March 31, 2018; with the option to renew for two additional annual periods at a cost of \$62,078 each.

### **BACKGROUND**

The WaterSmart program provides direct communication with customers with regards to their water usage. The service provides bi-monthly Home Water Reports and customer access to a web-based Customer Portal that presents customer-specific water use data and comparisons, customized water saving recommendations, and possible opportunities for water savings.

The City engaged WaterSmart to conduct a Pilot Program in 2014 which included 4,000 customers. The program received positive feedback and a customer survey done for those participating customers showed public interest in the tool for managing water consumption.

The Pilot Program was funded through a Colorado Water Conservation Board grant. A Council presentation in 2015 highlighted the benefits of the WaterSmart program at it was extended through the end of 2015 with 4,000 accounts. In 2016, the program was expanded and offered to all customers, with significant acceptance and success. Residential customers receive a detailed report on water use information every two months. City of Brighton also receives in-depth analytic and reporting information for all of Brighton's customers so that we can view usage reports and usage trends, identify leaks, analyze usage behaviors and customize messages and recommendations to our customers through their individual reports. To date, we have seen a water savings of approximately 78 acre-feet of water through conservation and customer awareness, much of which is likely attributable to the WaterSmart program. Therefore, this year, we are recommending for City Council consideration that all City of Brighton water customers continue to be included. We are further recommending that a multi-year contract be approved, which will result in approximate annual savings of over \$10,000. Sufficient budget is available in the Water Enterprise operating budget to cover the program costs.

Given that the account setup has been accomplished in WaterSmart, and a majority of our customers and staff are familiar with the program, staff believes that good cause exists to waive the formal bid process and to approve a contract to continue the WaterSmart program for 2017 and beyond. This is a program that was also outlined in the Water Conservation Plan and is endorsed by the Colorado water Conservation Board as a valuable tool for conservation efforts.

### **CRITERIA BY WHICH COUNCIL MUST CONSIDER THE ITEM**

#### **FINANCIAL IMPACT**

The total cost of the program from April 1, 2017 - March 31, 2018 is \$63,346. This amount has already been budgeted in the 2017 Water Enterprise operating budget. No additional supplemental budget appropriations are required.

The proposed contract is an annual contract that can be renewed annually up to two additional one year terms (three years total) if mutually agreed upon by the City and WaterSmart, and will only be renewed if WaterSmart continues to meet high standards of work product, timeliness, cost-effectiveness, and funding is annually appropriated .

Sections 3-8-10 and 3-08-20 of the Brighton Municipal Code recognize "professional services contracts" as not susceptible to formal sealed-bid procedures, and authorizes the City to enter into said contracts, when it is deemed in the best interest of the City to do so.

### **STAFF RECOMMENDATION**

Staff recommends the approval of the resolution to waive the formal bid process and approve the Professional Services Agreement with WaterSmart Software, Inc. for an amount of \$63,346 and authorizing the City Manager to execute said agreement on behalf of the City. Additional Contract renewals for 2018-2019, and 2019-2020 are proposed at \$62,078 each.

### **OPTIONS FOR COUNCIL CONSIDERATION**

- Approve the Resolution as presented

- Reject the Resolution as presented
- Postpone consideration of the resolution with additional direction to staff

**ATTACHMENTS**

- Proposal and Overview of WaterSmart Services
- Resolution
- Professional Services Agreement with WaterSmart Software, Inc.