THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: October 13, 2020

Subject: Lead and Copper Rule Revisions - Consultant

Staff Resource(s): David Melton, Director Water Resources & Brenna Cook, Laboratory Supervisor

Action Requested: Adopt a resolution authorizing the City Manager to execute a three year service contract with the option to renew for an additional two years with 120Water for the *Lead Education and Prevention Program* in the amount of $446,648 with a 10% contingency of $44,664.80 for a total of $491,312.80.

Background:

- The United States Environmental Protection Agency is scheduled to pass (fall of 2020) the new Lead & Copper Rule Revisions which will require a data management platform that has the ability to cohesively manage all required Lead and Copper Tap Monitoring, Primacy Agency & Customer Results Reporting, Service Line Inventory, and Lead Service Line Replacement in the Water System.
- 120Water is a digital water company that provides data management along with sample kits, analysis, and assistance with public education.
- 120Water has a data management platform that manages all areas of the new rule revisions.
- 120Water will provide the required sampling kits, laboratory analysis, and provide assistance with public educational outreach.
- The revisions require water purveyors to not only manage the water distribution system side of the water meter service line, but also requires research and monitoring of service line piping material to the home and provide customer education if a lead line is found to be on the customer or utility side of the water meter.
- Staff has taken a proactive approach in preparing for the Lead & Copper Rule Revisions.
- A Request for Proposals for required services was issued on June 15, 2020.
- Proposals were received on August 13, 2020.
- The Lead and Copper Coordination Team reviewed proposals on August 21, 2020.

  Three firms responded:
  - 120Water - Zionsville, IN
  - Camanse - Arden, NC
  - Miracle Software Systems - Novi, MI

  120Water was selected as the most qualified firm to provide the required services.

Vendor Outreach Efforts:

- Staff performed outreach to minority and women owned businesses through solicitation processes which include posting on the State's Interactive Purchasing System and requiring prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- No MWBE firms submitted bids with this prime contractor.

Council Goal(s):

- Clean & Healthy Environment

Committee(s):

- None

Pro(s):
- Ability to continue compliance with Federal and State regulations
- 120Water has ongoing experience with large water utilities throughout the United States.
- 120Water has proactively prepared these utilities for the new lead and copper provisions.
- Data platform will allow public access to easily consumable and transparent data.

Con(s):
- Failure to adopt resolution will result in difficulty complying with Federal and State regulations.

Fiscal Impact:
- Three year contract with the option to renew for an additional two years.
- The Water Resources Department currently has the funds to encumber the yearly contract amount of $163,770.94 in its operating funds.

Suggested Motion:
- Motion to adopt a resolution authorizing the City Manager to execute a three year service contract, with the option to renew for an additional two years, with 120Water for the *Lead Education and Prevention Program* in the amount of $446,648 with a 10% contingency of $44,664.80 for a total of $491,312.80.

Attachment(s)
- Resolution

RESOLUTION NO. 20-____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH 120Water FOR PROFESSIONAL SERVICES ASSOCIATED WITH LEAD EDUCATION AND PREVENTION PROGRAM.

WHEREAS, pursuant to N.C.G.S. § 160A-312, the City of Asheville has authority to operate a public enterprise; and

WHEREAS, pursuant to N.C.G.S. § 160A-20.1, the City of Asheville may enter into contracts with private entities to carry out any public purpose the City is authorized to engage in; and

WHEREAS, 120Water was one of three firms selected by Staff via a qualifications based process to perform professional services for Lead Education and Prevention Program; and

WHEREAS, the use of 120Water, will utilize the most qualified firm to ensure timely completion and fulfill compliance with scope of services for the development and implementation of the Lead Education and Prevention Program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager, on behalf of the City of Asheville, is hereby authorized to execute a three year service contract, with the option to renew for an additional two years, with 120Water, for professional services required for the development and implementation of the Lead Education and Prevention Program an amount of $446,648 with a contingency of $44,664.80 for a total project cost not to exceed $491,312.80.

Read, approved, and adopted this 13th day of October 2020.

_____ _____

City Clerk Mayor

Approved as to form:

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City Attorney