

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING SOLE SOURCE PURCHASE WITH AQUA-METRICS SALES COMPANY, A CORPORATION, FOR THE PURCHASE OF SENSUS FLEXNET RNI-ANALYTICS, A SOFTWARE AS A SERVICE, IN AN AMOUNT NOT TO EXCEED \$296,414, FOR FIVE YEARS; AND AUTHORIZING CITY MANAGER TO EXECUTE A PURCHASING AGREEMENT (ESTIMATED COST OF \$296,414 WILL BE FUNDED FROM THE WATER ENTERPRISE FUND)

WHEREAS, competitive bidding requirements for the purchase of supplies, equipment and non-personal contractual services and the sale of personal property are set forth in Chapter 5 of Title 3 of the Municipal Code; and

WHEREAS, subdivision (c) of § 3-5.210 exempts supplies and materials which are unique, available only from one source, or sought to match existing equipment or supplies already in use (also known as a sole source purchase); and

WHEREAS, Aqua-Metric Sales Company, a corporation, is the authorized Sensus Distribution Channel Partner in California.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. This action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(5), in that adopting a Resolution approving a sole source purchase order for Sensus FlexNet RNI-Analytics, Software as a Service (SaaS) does not meet CEQA's definition of a "project," because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment

and if a “project,” is exempt under the “common sense” exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment.

2. The Council finds that the purchase of Sensus FlexNet RNI-Analytics, Software as a Service (SaaS), is available from one source that meets the needs of the City (also known as a sole source purchase).

3. This purchase is exempt from the purchasing procedures of Chapter 5 of Title 3 of the Municipal Code as a sole source purchase under subdivision (c) of § 3-5.210 of the Municipal Code.

4. That the Council hereby approves the Purchase Order between the City of Watsonville and Aqua-Metric Sales Company, a corporation, for the purchase of Sensus FlexNet RNI-Analytics, Software as a Service (SaaS), in an amount not to exceed \$296,414 for five (5) years.

5. That the City Manager is hereby authorized and directed to execute said Purchase Order for and on behalf of the City of Watsonville with minor revisions that may be approved by the City Manager and the City Attorney.
