

BILL NO. S-18-12-05

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving PURCHASE OF SANITARY & COMBINED SEWER FLOW METERS (\$199,479.75) between ADS LLC and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the PURCHASE OF SANITARY & COMBINED SEWER FLOW METERS by and between ADS LLC and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, affirmed and approved in all respects, respectfully for:

purchase includes upgrading fifty-five (55) existing flow meters with new communications technology, and full replacement of fifteen (15) meters that utilize older technology and need replaced. Purchase includes seven (7) new flow meters and five (5) depth only sensors;

involving a total cost of ONE HUNDRED NINETY-NINE THOUSAND FOUR HUNDRED SEVENTY-NINE THOUSAND AND 75/100 DOLLARS - (\$199,479.75). A copy of said Contract is on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney

November 26, 2018

A Division of ADS LLC

Wendy Reust
City of Fort Wayne –Engineering
200 East Berry Street, Suite 250
Fort Wayne, IN 46802

Subject: **Quote – ADS FlowShark, Triton, and Triton+ Upgrade Program**

ADS Environmental Services (ADS) is pleased to submit this quote your review to upgrade the City's network of ADS FlowShark and Triton/Triton+ Monitoring Equipment. The TRITON+ platform adapts to a wide range of customer applications and budgets. Triton+ systems can be configured with a SCADA interface device called the "ExPac" to directly connect the monitor to a PLC or RTU. Systems can be configured as an economical single sensor monitor or as dual sensor monitor. The Triton+ also offers a long battery life and fewer parts for a more reliable system. This provides a lower purchase price and a lower ownership cost over the life of the monitor.

With these upgrades, the City will be on the leading edge of utilizing Verizon Wireless's new LTE-M wireless platform for communicating to their ADS system. Outlined below is a summary of the upgrade package for 82 different ADS systems and includes a 25% YEAR END discount that will be applied to the order.

Finally, ADS LLC manufactures and sells flow monitoring equipment under its trademarked label, ADS Environmental Services. **ADS Environmental Services is the only authorized distributor of ADS equipment in the United States.** Because of the high quality and complex technical nature of the equipment components, ADS manufactured sensors, batteries, circuit boards, flow monitoring upgrade parts and upgrade kits can only be purchased directly from an ADS representative or online through the ADS Storefront.

Sincerely,



Christopher Skehan, M.S.
Business Development Manager
ADS Environmental Services
(708) 341-9701
cskehan@idexcorp.com

CC: Eric Hehmann



QUOTE SUMMARY:

Part Number	Description	QTY	Cost	SubTotal
8000-0334-4VZ-UK2	Triton+ GL to 4VZ Upgrade Kit	45	\$ 1,150.00	\$ 51,750.00
8000-4VZ-UK2	Triton GL to 4VZ Upgrade Kit	10	\$ 1,800.00	\$ 18,000.00
8000-FST-IM-4VZ	Triton+ V4Z Monitor	10	\$ 3,995.00	\$ 39,950.00
8000-FST-IM-EP-4VZ	Triton+ 4VZ Monitor (External Power)	12	\$ 3,595.00	\$ 43,140.00
8000-0377	ExPac SCADA Assembly	12	\$ 700.00	\$ 8,400.00
8000-0378-10	10' ExPac Power Cable for Triton+	11	\$ 210.00	\$ 2,310.00
8000-0378-250	250' ExPac Power Cable for Triton+	1	\$ 1,694.00	\$ 1,694.00
8K-CS4-05-35	CS4 Combo Sensor w/35' Cable	18	\$ 1,495.00	\$ 26,910.00
8K-CS4-30-1H	CS4 Combo Sensor w/100' Cable (0-30psi)	2	\$ 1,980.00	\$ 3,960.00
8K-CS5-D1-00-30	CS5 Depth Sensor w/30' Cable	7	\$ 1,175.00	\$ 8,225.00
8K-CS6-C1-10	LRD Sensor w/10' Cable	15	\$ 1,195.00	\$ 17,925.00
8K-CS7-10-35	AV/Gated Combo Sensor w/35' Cable	7	\$ 1,995.00	\$ 13,965.00
8000-0484	LRD Wall Mount	15	\$ 60.00	\$ 900.00
8000-0025-25	25' Cable Extension for any CSx Sensor	11	\$ 407.00	\$ 4,477.00
8000-0271	Wedge Sensor Adapter	1	\$ 279.00	\$ 279.00
9000-ECHO-4VZ	ECHO Level Monitoring System	5	\$ 2,495.00	\$ 12,475.00
9000-0070	ECHO Extension Bar Mount	5	\$ 299.00	\$ 1,495.00
9000-0080	3G/4G High Gain Antenna	82	\$ 99.00	\$ 8,118.00
	TOTAL			\$ 263,973.00
	25% Discount			\$ (65,993.25)
	Estimated Shipping			\$ 1,500.00
	GRAND TOTAL			\$ 199,479.75

NOTES:

1. The above prices do not include labor to support the installation of the flow monitors.
2. The above prices do not include any special, modified, or custom documentation or manuals that may be required. Standard ADS Environmental Services manuals, appropriate to the flow monitors delivered, are included with the equipment.
3. Sale of the above equipment and software is subject to acceptance of ADS Environmental Services Equipment Sale Agreement. Activation of software requires users to execute ADS Environmental Services Software License Agreement.
4. Acceptance of this proposal for the purchase of ADS Products constitutes you and/or your company's agreement to ADS' Standard Terms and Conditions of Sale found at <http://www.adsenv.com/equipt-service-terms-conditions>. ADS' Terms and Conditions supersede any terms and conditions in any documentation submitted by you and/or your company as a buyer of ADS products.
5. 25% Discount from valid only for items Delivered by 12/31/18.

CITY OF FORT WAYNE, INDIANA

ADS LLC
(Vendor Name)

VENDOR DISCLOSURE STATEMENT RELATING TO:

- 1. FINANCIAL INTERESTS;**
- 2. POTENTIAL CONFLICTS OF INTEREST;**
- 3. CURRENT AND PENDING CONTRACTS OR PROCUREMENTS**

Vendors desiring to enter into certain contracts with the City of Fort Wayne, Indiana (the "City") shall disclose their financial interests, potential conflicts of interest and current and pending contract or procurement information as set forth below.

The following disclosures by Vendors are required for all contracts with annual payments by the City in the amount of \$50,000 or more. Vendors shall disclose their financial interests, potential conflicts of interest and other contract and procurement information identified in Sections 1, 2 and 3 below as a prerequisite for consideration for a contract awarded by the City. This Disclosure Statement must be completed and submitted together with the Vendor's contract, bid, proposal or offer.

A publicly traded entity may submit its current 10K disclosure filing in satisfaction of the disclosure requirements set forth in Sections 1 and 2 below.

Section 1: Disclosure of Financial Interest in Vendor

- a. If any individuals have either of the following financial interests in Vendor (or its parent), please check all that apply and provide their names and addresses (attach additional pages as necessary):

(i) Equity ownership exceeding 5% ☐

(ii) Distributable income share exceeding 5% ☐

(iii) Not Applicable (If N/A, go to Section 2) ☒

Name: _____ Name: _____

Address: _____ Address: _____

- b. For each individual listed in Section 1a. show his/her type of equity ownership:

sole proprietorship ☐ stock ☐

partnership interest ☐ units (LLC) ☐

other (explain) _____

- c. For each individual listed in Section 1a. show the percentage of ownership interest in Vendor (or its parent):
ownership interest:

Name: _____ %

Name: _____ %

Section 2: Disclosure of Potential Conflicts of Interest (not applicable for vendors who file a 10K)

For each individual listed in Section 1a, check "Yes" or "No" to indicate which, if any, of the following potential conflict of interest relationships apply. If "Yes", please describe using space under applicable subsection (attach additional pages as necessary):

- a. City employment, currently or in the previous 3 years, including contractual employment for services:
Yes _____ No _____

- b. City employment of "Member of Immediate Family" (defined herein as: *Spouse, Child, Step Child, Parent or Step Parent, Father-in-law or Mother-in-law, Brother or Sister, Step Brother or Step Sister, Half Brother or Half Sister, Brother-in-law or Sister-in-law, Son-in-law or Daughter-in-law, Grandparent or Step Grandparent, Grandparent or Step Grandparent of Spouse, Grandchild*)

Including contractual employment for services in the previous 3 years:

Yes _____ No _____

- c. Relationship to Member of Immediate Family holding elective City office currently or in the previous 3 years: Yes _____ No _____

Section 3: DISCLOSURE OF OTHER CONTRACT AND PROCUREMENT RELATED INFORMATION

- a. Does Vendor have current contracts (including leases) with the City? Yes _____ No X

If "Yes", identify each current contract with descriptive information including purchase order or contract reference number, contract date and City contact below (attach additional pages as necessary).

- b. Does Vendor have pending contracts (including leases), bids, proposals, or other pending procurement relationship with the City? Yes _____ No X

If "Yes", identify each pending matter with descriptive information including bid or project number, contract date and City contact using space below (attach additional pages as necessary).

-
- c. Does vendor have any existing employees that are also employed by the City of Fort Wayne?

Yes _____ No X

If "Yes", provide the employee's name, current position held at vendor, and employment payment terms (hourly, salaried, commissioned, etc.).

Name / Position / Payment Terms:

Name / Position / Payment Terms:

Name / Position / Payment Terms:

- d. Does vendor's representative, agent, broker, dealer or distributor (if applicable) have any existing employees that are also employed by the City of Fort Wayne? For each instance, please provide the name of the representative, agent, broker, dealer or distributor; the name of the City employee, and the payment terms (hourly, salaried, commissioned, etc.).

Company / Name / Payment Terms: _____

Company / Name / Payment Terms: _____

Section 4: CERTIFICATION OF DISCLOSURES

In connection with the disclosures contained in Sections 1, 2 and 3 Vendor hereby certifies that, except as described in attached Schedule A:

- a. Vendor (or its parent) has not, within the five (5) year period preceding the date of this Disclosure Statement, been debarred, suspended, proposed for debarment declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. No officer or director of Vendor (or its parent) or individual listed in Section 1a. is presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any offense;
- c. Vendor (or its parent) has not, within the five (5) year period preceding the date of this Disclosure Statement, had one or more public transactions (federal, state or local) terminated for cause or default;
- d. No officer or director of Vendor (or its parent) or individual listed in Section 1a. has, within the five (5) year period preceding the date of this Disclosure Statement, been convicted, adjudged guilty, or found liable in any criminal or civil action instituted by the City, the federal or state government or any other unit of local government; and
- e. Neither Vendor, nor its parent, nor any affiliated entity of Vendor, or any of their respective officers, directors, or individuals listed in Section 1a. is barred from contracting with any unit of any federal, state or local government as a result of engaging in or being convicted of: (i) bid-rigging; (ii) bid-rotating; or (iii) any similar federal or state offense that contains the same

elements as the offense of bid-rigging or bid-rotating

- f. Pursuant to IC 5-22-16.5, Vendor hereby certifies they do NOT provide \$20 million dollars or more in goods or services to the energy sector of Iran. Vendor also certifies it is not a financial institution that extends \$20 million dollars or more in credit that will provide goods or services to the energy sector of Iran or extends \$20 million dollars or more in credit to a person identified on the list as a person engaging in investment activities in Iran.

The disclosures contained Sections 1, 2 and 3 and the foregoing Certifications are submitted by

ADS LLC
(Name of Vendor)

340 The Bridge Street, Suite 204, Huntsville, AL 35806
Address
(256)430-3366
Telephone
jgoustin@idexcorp.com
E-Mail Address

The individual authorized to sign on behalf of Vendor represents that he/she: (a) is fully informed regarding the matters pertaining to Vendor and its business; (b) has adequate knowledge to make the above representations and disclosures concerning Vendor; and (c) certifies that the foregoing representations and disclosures are true and accurate to the best of his/her knowledge and belief.

Name (Printed) Joseph J. Goustin Title Assistant Treasurer

Signature  Date Dec 3, 2018
Joseph J. Goustin (Dec 3, 2018)

NOTE: FAILURE TO COMPLETE AND RETURN THIS FORM WITH YOUR DOCUMENTATION MAY RESULT IN YOUR CONTRACT, OFFER, BID OR PROPOSAL BEING DISQUALIFIED FROM CONSIDERATION.

CONTRIBUTION STATEMENT BY A BUSINESS ENTITY

I, Joseph J. Goustin, under the penalties of perjury, affirm and state as follows:

1. I am over the age of eighteen (18) years old.
2. I am an officer or party of the below named company/firm, a business entity within the meaning of Section 37.28 of the Fort Wayne Municipal Code of Ordinances (the "City Code").
3. As an officer or party of the below named company/firm, I am authorized to execute this *Contribution Statement by a Business Entity* on behalf of said business entity.
4. Since January 1, 2018, neither the below named company/firm, nor any of its covered principals, partners, officers, subsidiaries, or other individuals as defined in Section 37.28 has made a contribution to any City of Fort Wayne candidate or holder of public office, whether directly or indirectly by contribution to such candidate's or holder of public office's campaign committee, a City or Allen County party committee or a political action committee that regularly engages in the support of municipal elections and/or municipal parties in the City of Fort Wayne, which would prohibit the City of Fort Wayne from negotiating or entering into a contract with the below named company/firm under Section 37.28 of the City Code.
5. This *Contribution Statement by a Business Entity* is made pursuant to Section 37.28 of the City Code to support approval of a contract between the City of Fort Wayne, Indiana and the below named company/firm.

ADS LLC

Company/Firm

November 27, 2018

Date

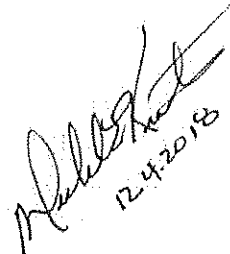
By: Joseph J Goustin Asst Tres
Joseph J Goustin Asst Tres (Nov 27, 2018)

Printed: Joseph J. Goustin

Title: Assistant Treasurer

Interoffice Memo

Date: December 4, 2018
To: Common Council Members
From: Michael Kiester, Manager, City Utilities Engineering
Re: Procurement of Sanitary & Combined Sewer flow meters to support the sewer system hydraulic flow model calibration and IDEM required CSO reporting



Council District – City Wide

The City currently has 70 existing ADS flow meters in the sewer system. These meters are installed throughout the City's collection system and CSO outfalls to monitor, record and report depth, velocity and flow of sewage in the pipe. Cellular carrier technology upgrades have led to current flow metering communication to these meters to become obsolete. This procurement includes upgrading fifty-five existing meters with new communication technology, and full replacement of fifteen meters that utilize older technology and need be replaced. In addition to the 70 existing flow meters the City will be purchasing 7 new flow meters and 5 depth only sensors.

Implications of not being approved: As part of the CSO Operational Plan Update the City is required by IDEM to collect CSO data every 15 minutes when a CSO is triggered. Without the upgrade the City will no longer be able to communicate with these meters to meet this requirement.

In addition to IDEM requirements, the city's sewer system hydraulic model was last recalibrated in 2010 and provides the basis for the City's planning and designing of sewer system improvement projects. The reliability and accuracy of a hydraulic model to support design projects and perform capacity assurance has limitations when the hydraulic model is outdated and does not accurately reflect the sewer system. It is a critical to update the City's hydraulic model and recalibrate it and to have continued confidence on the model reliability and its intended applications. The model provides the preliminary basis for sizing all CSO Consent Decree control projects and will also be important in demonstrating the performance of them after implementation. In addition, the model can support the capacity assessment and assurance efforts in the sanitary sewer interceptors. Reliable flow meters are critical in recalibrating the hydraulic model.

If Prior Approval is being Requested, Justify: Yes, Supplier has offered a 25% discount if purchase order is finalized before the end of the year.

The cost of the said project is funded by State Revolving Fund Bond

Council Introduction Date: December 11, 2018

CC: BOW
Matthew Wirtz
Diane Brown
Construction Manager
File