

1 **BILL NO. S-20-02-04**

2 **SPECIAL ORDINANCE NO. S-_____**

3 **AN ORDINANCE** approving the awarding of
4 **PURCHASE OF AERATION PROGRAMMABLE**
5 **LOGIC CONTROLLERS (PLCs) -**
6 **RESOLUTION/WORK ORDER #76789 - \$130,086.59**
by the City of Fort Wayne, Indiana, by and through its
Department of Purchasing and KENDALL ELECTRIC
for the WATER POLLUTION CONTROL PLANT.

7 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF**
8 **THE CITY OF FORT WAYNE, INDIANA;**

9 **SECTION 1.** That PURCHASE OF AERATION PROGRAMMABLE LOGIC
10 CONTROLLERS (PLCs) - RESOLUTION/WORK ORDER #76789 between the
11 City of Fort Wayne, by and through its Department of Purchasing and KENDALL
12 ELECTRIC (sole source vendor) for the WATER POLLUTION CONTROL PLANT,
13 respectfully for:
14

15 purchase of Aeration Programmable Logic Controllers (PLCs) -
16 modules, power supplies and relays for the Water Pollution Control
17 Plant Improvement;

18 involving a total cost of not to exceed ONE HUNDRED THIRTY THOUSAND
19 EIGHTY-SIX AND 59/100 DOLLARS - (\$130,086.59) all as more particularly set
20 forth in said PURCHASE OF AERATION PROGRAMMABLE LOGIC
21 CONTROLLERS (PLCs) - RESOLUTION/WORK ORDER #76789 which is on file
22 in the Office of the Department of Purchasing, and is by reference incorporated
23 herein, made a part hereof, and is hereby in all things ratified, confirmed and
24 approved.
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2 **SECTION 2.** That this Ordinance shall be in full force and effect from
3 and after its passage and any and all necessary approval by the Mayor.
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6
7 _____
8 Council Member
9

10 APPROVED AS TO FORM AND LEGALITY
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13 _____
14 Carol Helton, City Attorney
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Rockwell Automation
Western Michigan
1121 133rd Avenue
Wayland, MI 49348
Tel 1.269.792.7000 Fax 1.269.792.7001
www.rockwellautomation.com

**Rockwell
Automation**

January 1st, 2020

City of Fort Wayne
200 E. Berry St. Suite 250
Fort Wayne, IN 46802-1804

Subject: Sole Source Justification

This letter is to confirm that Kendall Electric in Fort Wayne, Indiana is the only appointed Allen-Bradley/Rockwell Automation distributor, authorized to sell and support Allen-Bradley/Rockwell Automation products and services, in the geographic area in which your Fort Wayne facility is located.

As a matter of Rockwell Automation company policy, full factory product and sales support is made available only to the authorized distributor in any given geographic region. Rockwell Automation discourages the use of other non-authorized sources, including distributors who may hold an Allen-Bradley/Rockwell Automation appointment in another region.

Should you have any further questions, please do not hesitate to contact me.

Best Regards,

Steven St. Pierre
Heavy Industry Sales Engineer
Rockwell Automation - Western Michigan Region
(616) 631-0210 Mobile (Preferred)
Email: scstpierre@ra.rockwell.com

PURCHASING COPY



KENDALL ELECTRIC INC
4621 EXECUTIVE BLVD
FORT WAYNE IN 46808-1100
260-483-8820 Fax 260-483-4093

Sold To: 46087
CITY UTILITIES ENGINEERING
ATTN: JON WEIRICK
200 E BERRY ST SUITE 250
FORT WAYNE, IN 46802-2736

Ship To: 92511
FORT WAYNE (CITY OF) CITY UTILS ENG
ATTN: JON WEIRICK
200 E BERRY ST SUITE 250
FORT WAYNE, IN 46802-2736

Quotation S108796291

Order Date: 01/15/20
Terms: Net Due 30 Days
Customer PO#
Release #
CITY AERATION BASIN
Ordered By: JON WEIRICK
Phone: 260-427-2682

Warehouse	Ship Via	Freight Allowed	Account Manager	Inside Salesperson		
EKDC		Out: No In: No	DAVID HERB, PAGE-EFW	MARIE BADE, 1516-EFW		
Cust Ln #	Order Qty	ID #	Description	Req Date	Price / UOM	Ext Amount
	9ea	14313	1756-PA75 AB CTRLGX 85-265VAC PWR SUPPLY 5V 13A	01/15/20	928.000/e	8,352.00
	9ea	2702073	1756-EN2TR AB 2-PORT CLX HI-CAP ENET/P MODULE-TP	01/15/20	2398.024/e	21,582.22
-	27ea	3339884	1756-IF8I A-B CNTLGX ANALOG INPUT PN-172138 PN-172138 * ***PARTIAL KENDALL STOCK - REMAINING FACTORY STOCK*** *****	01/15/20	1821.882/e	49,190.81
-	9ea	3339824	1756-OF8I A-B CONTLGX ANALOG OUTPUT PN-172139	01/15/20	2169.882/e	19,528.94
-	27ea	14258	1756-IA16I AB CONTLGX 79-132VAC ISOL IN CARD * ***PARTIAL KENDALL STOCK - REMAINING FACTORY STOCK*** *****	01/15/20	485.153/e	13,099.13
	72ea	14318	1756-TBCH AB CNTRLGX 36PIN SWINGARM SCREWTYPE	01/15/20	71.647/e	5,158.58
	72ea	14294	1756-N2 AB CNTRLGX BLANK FILLER PLATE	01/15/20	23.678/e	1,704.82



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Cust Ln #	Order Qty	ID #	Description	Req Date	Price / UOM	Ext Amount
	9ea	14243	1756-A17 AB CONTLGX 17 SLOT RACK	01/15/20	729.842/e	6,568.58
	9ea	14310	1756-OW16I AB CNTRLGX 16PT ISOL. RELAY N.O. CONTACTS	01/15/20	522.682/e	4,704.14
	9ea	5391	700-HLT1U1 AB INTERPOSING RELAY MODULE 110 125V ACDC 6AMPS *** TAXES NOT INCLUDED ***	01/15/20	21.930/e	197.37
					Subtotal	130086.59
					S&H CHGS	TBD
					Sales Tax	TBD
					Amount Due	130086.59

This quotation is an offer to sell you the goods described herein on the terms set forth above and, unless otherwise agreed in a signed writing, on our Terms and Conditions of Sale, available at www.kendallgroup.com/Legal-Notices or by calling 800-632-5422. An order of any goods listed in this quotation constitutes your acceptance of our Terms and Conditions of Sale. We object to any different or additional terms and reject any prior offers from you. Prices expire on, and are subject to change after, 02/15/2020. Wire, conduit & pipe pricing valid for 01/15/2020 only. Opened, special order or non-stock items may not be returnable.



A MEMBER OF THE KENDALL GROUP

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EXDC		Out: No In: No	DAVID HERB, PAGE-EFW	MARIE BADE, 1516-EFW		
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	9ea	2702073	1756-EN2TR AB 2-PORT CLX HI-CAP ENET/P MODULE-TP	01/15/20	2398.024/e	21,582.22
-	27ea	3339884	1756-IF81 A-B CNTLGX ANALOG INPUT PN-172138	01/15/20	1821.882/e	49,190.81
-	18ea	3339824	1756-OF81 A-B CONTLGX ANALOG OUTPUT PN-172139	01/15/20	2169.882/e	39,057.88
-	27ea	14258	1756-IA161 AB CONTLGX 79-132VAC ISOL IN CARD	01/15/20	485.153/e	13,099.13
-	18ea	14311	1756-0X81 AB CNTRLGX 8PT ISOL. RELAY NO/NC CNTCTS	01/15/20	373.247/e	6,718.45
	90ea	14318	1756-TBCH AB CNTRLGX 36PIN SWINGARM SCREWTYPE	01/15/20	71.647/e	6,448.23
	27ea	14294	1756-N2 AB CNTRLGX BLANK FILLER PLATE	01/15/20	23.678/e	639.31
	9ea	14242	1756-A13 AB CONTLGX 13 SLOT RACK	01/15/20	618.894/e	5,570.05
	9ea	14310	1756-OW161 AB CNTRLGX 16PT ISOL. RELAY N.O. CONTACTS	01/15/20	522.682/e	4,704.14
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Cust Ln #	Order Qty	ID #	Description	Req Date	Price / UOM	Ext Amount
			MODULE 110 125V ACDC 6AMPS			
			*** TAXES NOT INCLUDED ***			

This quotation is an offer to sell you the goods described herein on the terms set forth above and, unless otherwise agreed in a signed writing, our Terms and Conditions of Sale, available at www.kendall-group.com/Sale-Notice or by calling 800-632-5422. An order of any goods listed in this quotation constitutes your acceptance of our Terms and Conditions of Sale. We object to any different terms and reject any order of goods from you. Prices expire on, and are subject to change after, 02/15/2020. Wire, conduct a pipe pricing valid for 01/15/2020 only. Opened, special order or non-stock items may not be returnable.

Page 2 of 2

Thank You - We Appreciate Your Business

Amount Due	155559.59
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Printed: 16:51:56 15 JAN 2020

CITY OF FORT WAYNE, INDIANA

Kendall Electric

(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 X

- 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 X

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

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 X No _____

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).

S108796291

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

Kendall Electric
(Name of Vendor)
415 Ley Road Fort Wayne 46825
Address
260 484-0755
Telephone
Angela.gallagher@KendallElectric.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) Angela Gallighor Title Sales Manager
Signature Angela Gallighor Date 1-15-2020

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

Interoffice Memo

Date: 2/5/2020
To: Common Council Members
From: City Utilities Engineering
RE: Aeration PLC Improvements
Res. # 76789, W.O. #76789

Council District # N/A – City Wide – Water Pollution Control Plant Improvement

This is a materials purchase agreement for the Water Pollution Control Plant. This agreement is for the purchase of materials with a not to exceed amount of \$130,086.59.

The contractor shall furnish all labor, insurance, equipment, materials and power for the completion of the project: Aeration PLC Improvements procurement as follows: The procurement of Programmable Logic Controller modules, power supplies, and relays.

Implications of not being approved: These materials are used for the control of the secondary treatment process to comply with EPA permit, for the efficient use of resources, to increase reliability, maintain standardization of equipment, training, and compatibility.

If Prior Approval is being Requested, Justify: N/A

Selection and Approval Process:

The materials are part of a sole source agreement distributed locally by Kendall Electric. The manufacturer, Rockwell Automation has entered into a fixed price agreement with Kendall Electric for these products.

The cost of said project funded by Sewer Revenue.

Council Introduction Date: 2/11/2020

CC: Matthew Wirtz
Diane Brown
Project Manager
File

Interoffice Memo

Date: January 24, 2020

To: City Purchasing Department

From: Jon Weirick

cc: Matthew Wirtz, File

Re: Sole Source – Kendall Electric – Rockwell Automation – WO#76789 (Aeration PLC IO Improvements)

The city of Fort Wayne is continually improving the water and waste water utility to meet additional customer demands and regulatory compliance. In this increase, the quantity of process equipment and appurtenances is increasing as well to meet this demand. In order to effectively and efficiently maintain the assets and equipment, City Utilities has standardized critical equipment.

Automated equipment industrial controllers, specifically Programmable Logic Controllers (PLCs), have been standardized by the utility. Standardization has benefited the utility by: equipment familiarization, training, and compatibility of equipment. The utility has standardized on PLCs made by Rockwell Automation and is distributed through Kendall Electric for the City of Fort Wayne. Rockwell Automation and Kendall have entered into fixed price agreements for this particular product. City Utilities has secured quotations from Kendall (the sole distributor).

The total cost for the equipment is \$130,086.59. The work order number is 76789 - Aeration PLC IO Improvements.

If there are any questions or concerns please feel free to give me a call at 260-427-2682.

Regards,

Jon Weirick

Sr. Program Manager