

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER AND APPROVING, IN ACCORDANCE WITH SECTION 2-367(D) AND 2-391(A) OF THE MIAMI BEACH CODE, THE SOLE SOURCE PURCHASE OF BADGER WATER METERS AND ORION CELLULAR ENDPOINTS AND RELATED PRODUCTS, SOFTWARE, AND SERVICES, FROM BADGER METER, INC., IN AN AMOUNT NOT TO EXCEED THE AMOUNT APPROPRIATED ANNUALLY FOR THESE PRODUCTS THROUGH THE CITY'S BUDGETING PROCESS.

WHEREAS, on January 15, 2020, via Resolution No. 2020-31141, the City Commission waived, by 5/7ths vote, the formal competitive bidding requirements, in accordance with Section 2-367 of the City Code, and approved a contract to replace the City's existing analog water meter system with Badger Meter's Advanced Metering System, a digital system which communicates via cellular service; and

WHEREAS, Badger Meter, Inc., the manufacturer of the Badger system, which includes meters, Orion cellular units and related products, software and services, has notified staff that it continues to be the sole source for the products, software and services needed to maintain the current system and expand it as new construction comes online; and

WHEREAS, pursuant to Section 2-367(d)(2) for sole source purchases, the Procurement Department publicly released Intent to Sole Source (ITS) No. 2023-383-NA on April 25, 2023; and

WHEREAS, responses to the ITS were due on May 1, 2023, and the City did not receive any responses from vendors stating that they could supply the required items; and

WHEREAS, based on the notification from Badger Meter, Inc. that it is the sole source for its products, software, and services, and the results of ITS 2023-383-NA, the Administration seeks the approval of the Mayor and City Commission to continue to purchase, in accordance with Section 2-367(d)(2), badger water meters and Orion cellular endpoints, and related products, software, and services, from Badger Meter, Inc.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the City Manager, pursuant to Section 2-367(d) and 2-391(a), of the City Code, and approving, in accordance with Section 2-367(d) of the Miami Beach Code, the sole source purchase of Badger water meters and Orion cellular endpoints and related products, software, and services, from Badger Meter, Inc., in an amount not to exceed the amount appropriated annually for these products through the City's budgeting process.

PASSED AND ADOPTED this _____ day of _____ 2023.

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

DAN GELBER, MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney *DT*

5-11-23
Date