



# Naperville

## CITY COUNCIL AGENDA ITEM

**SUBJECT:** Recommend the Award of Extension to Contract 12-116, Cross Connection Backflow Administrator

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**TYPE OF VOTE:** Simple Majority

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**ACTION REQUESTED:**  
Approve the Award of Extension to Contract 12-116, Cross Connection Backflow Administrator, to Aqua Backflow for an amount not to exceed \$29,700.00 with the extension ending date of June 30, 2015.

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**BOARD/COMMISSION REVIEW:**  
N/A

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**COUNCIL ACTION PREVIOUSLY TAKEN:**

Date	Item No.	Action
N/A		

**DEPARTMENT:** Dept. of Public Utilities - Water  
Procurement Services Team

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**SUBMITTED BY:** James Holzapfel, Director of Public Utilities-Water  
Rachel Mayer, Chief Procurement Officer

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**FISCAL IMPACT:**  
CIP#: N/A Budgeted Account:  
WF#:N/A Budgeted Amount: \$ (NOT BUDGETED)

This bid does not utilize City funds. The Cross Connection Backflow Administrator is compensated by collecting documentation fees directly from backflow device testing contractors when they submit test results.

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**BACKGROUND:**

Illinois Environmental Protection Agency (IEPA) requires the City to maintain cross-connection control testing records for all water customers who have testable devices. There are currently over 12,000 devices on record in the City. Customers with a backflow prevention device are required by Federal Law and State Statutes to test their devices annually by a certified cross connection control inspector. Annually customers owning a device must select a certified testing contractor from the many firms that offer the service within the city. After testing the owner or his/her inspection contractor must submit the test results to the city as evidence of compliance. The City of Naperville is required to store and report these records per State Statutes.

The administration of these records was performed by in-house staff until DPU-W staff reductions in FY 2012. At that time the program administration was outsourced.

Under the outsourced program, customers continue to select their own testing contractor and pay their own testing fees. Instead of submitting test results directly to the City, the testing contractor submits their results to a third-party administrator where the third-party administrator charges a documentation fee. Typically the documentation fee is paid by the testing contractor and added to the customer's bill for testing. City staff is not involved in the testing or documentation process, and does not assess or collect fees for the program. The backflow program administrator is responsible for all notifications sent to customers, acceptance and recording of test results and reporting all test data to the City for submittal to the IEPA.

Bid 12-116 was awarded to Aqua Backflow by the City Manager on February 3, 2012 for an estimated amount of \$83,089.50 for a three year period beginning on March 1, 2012. The \$83,089.50 figure represents the estimated fees collected by the vendor by customers and their testing contractor. No City of Naperville funds are budgeted for this service.

**DISCUSSION:**

Bid 12-116 included an option to extend the contract an additional three years. Staff opted to issue a new RFP rather than extend the contract in order to test the market. Bid 12-116 expired on February 28, 2015. The new RFP was published on March 3, 2015, with a contract effective date of July 1, 2015.

Aqua Backflow has offered to extend their current contract until June 30, 2015 with no change in terms or pricing. It is estimated that compliance documentation for up to half of the 12,000 devices currently on record might be submitted prior to June 30, 2015. Therefore, the dollar amount of the proposed contract extension shall not exceed \$29,700. This contract is not paid for with city funds and does not appear in the city budget.

**RECOMMENDATION:**

Approve the Award of Extension to Contract 12-116, Cross Connection Backflow Administrator, to Aqua Backflow for an amount not to exceed \$29,700.00 with the extension ending date of June 30, 2015.

**ATTACHMENTS:**

1. City Manager Original Award