

BILL NO. 23-241

AN ORDINANCE APPROVING THE PURCHASE OF CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION COMPLIANCE SOFTWARE PORTAL TO SWITCOMPLY (SOLE SOURCE) FOR THE AMOUNT OF \$90,500.00 WHICH INCLUDES A ONE-TIME SETUP FEE OF \$50,000.00 AND AN ANNUAL FEE OF \$40,500.00 FOR THE WATER UTILITIES DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL RELATED AND NECESSARY DOCUMENTS FOR THE SAME.

WHEREAS, The City of Lee's Summit Water Utilities department has identified a software portal to enhance compliance and improve efficiency for stakeholders; and,

WHEREAS, Water Utilities staff recommends contracting with SwiftComply to digitize and streamline operation for backflow compliance; and,

WHEREAS, under the City's Procurement Policy, the requirement of competitive bids may be waived when "a firm has significant previous or specialized knowledge on a proposed project that would result in significant and/or time savings in completion of the project" and "Goods or Services are proprietary and only available from the manufacturer or a single distributor, or service provider"; and,

WHEREAS, SwiftComply has expertise and knowledge having this portal setup for 400 utilities across the country and is the only vendor with a formal agreement with the departments Customer Information System; and,

WHEREAS, the Water Utilities Department desires to enter into an agreement for the installation of the software portal.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. The City Council of the City of Lee's Summit, Missouri, hereby approves the purchase between the City of Lee's Summit, Missouri, and SwiftComply, for the installation of a software portal for backflow compliance, for an amount not to exceed \$90,500.00.

SECTION 2. The City Council of the City of Lee's Summit, Missouri, hereby authorizes the City Manager, or designee, to execute all related and necessary for the same on behalf of the City of Lee's Summit, Missouri.

SECTION 3. The City Manager, or designee, is further authorized to take such further action and execute such documents as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

SECTION 4. This Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

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SECTION 5. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2023.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2023.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*