

Open Cel Procurement

WHEREAS the Wastewater Commission at its November 24, 2009 meeting authorized the General Manager of the Utility to proceed with the sole source procurement and enter into a Memorandum of Understanding for the procurement of the OpenCel technology, and,

WHEREAS the Commission recognizes that this is unique and patented technology is only available from one source that being OpenCel, and

WHEREAS the Commission has applied for a grant from Focus on Energy to offset the cost of this technology and the Commission is expecting a grant award from Focus on Energy within days of this commission meeting, and

WHEREAS the vendor OpenCel has offered a price reduction of \$85,000 if the Utility can execute the MOU within the next 10 days, being as they are manufacturing a similar unit for a California client and can pass cost efficiencies on to the Racine Utility and Commission if ordered and an MOU executed in the next few days following acceptance of the Focus grant.

NOW THEREFORE, the Wastewater Commission further authorizes the General Manager of the Utility to accept the pending grant from Focus on Energy on behalf of the Commission, enter into the MOU with OpenCel on behalf of the Commission initiating the procurement action, and that the Commission grants permission that formal bidding procedures be waived and that the General Manager was granted permission to in November 2009 to execute the MOU with Open Cel and further understands that this sole source procurement of this technology and manufactured unit is in the best interest of the Commission.

FISCAL NOTE: Funds are available in Utility reserves to pay the initial cost of this unit and the Racine Intergovernmental Sanitary Sewer Service Agreement was amended to allow for the procurement of this equipment and the item was included in the amended Capital Improvement Program budget for 2010.