

RESOLUTION 2014-01

A RESOLUTION OF THE GARIBALDI CITY COUNCIL ACTING AS THE GARIBALDI CONTRACT REVIEW BOARD MAKING A SPECIFIC EXEMPTION TO THE COMPETITIVE BID REQUIREMENTS OF GARIBALDI MUNICIPAL CODE SECTION 3.10., PUBLIC CONTRACTS, AND AUTHORIZING STAFF TO PURCHASE DATA PROCESSING HARDWARE AND SOFTWARE

WHEREAS, Garibaldi Municipal Code (GMC) § 3.10.010, Public Contracts – Purpose, states that the public contracting rules of the City of Garibaldi are intended to foster competition to obtain the best possible product for the best price with the understanding that there are a number of different procedures to obtain these results; and,

WHEREAS, GMC § 3.10.020, Public Contracts – Contract Review Board, designates the City Council of Garibaldi as the City of Garibaldi's local contract review board, hereto referred to as the Garibaldi Contract Review Board, as prescribed by Oregon Revised Statute 279A.060; and,

WHEREAS, GMC § 3.10.110(B)(4), Public Contracts – Brand Name Specifications in Contracts, allows for an exemption to the competitive bidding requirements of the City's public contracting rules pertaining to the purchase of specific brand name or make products or services when the efficient utilization of existing equipment or supplies requires the acquisition of compatible equipment and supplies; and,

WHEREAS, GMC § 3.10.110(C)(3) Public Contracts – Brand Name Specifications in Contracts; identifies data processing hardware and software as an item that may be purchased under the conditions of GMC § 3.10.110(B)(4); and,

WHEREAS, the City has chosen to utilize utility billing and accounting software that supports a limited number of proprietary devices and subordinate software for the purpose of water meter data collection and processing; and,

WHEREAS, the Garibaldi Contract Review Board has reviewed a report from the Public Works Director that offers an analysis of hardware and software options available to the City for use with the current billing and accounting software; and,

WHEREAS, the aforementioned report recommends the purchase of necessary equipment and software from one vendor that provides the best combination of a competitive pricing and service.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF GARIBALDI RESOLVES AS FOLLOWS:

Section 1. The recitals of this resolution are incorporated herein by reference and adopted as findings in support of this approval of a Specific Exemption to the City's Public Contracting Rules.

Section 2. A certain report dated August 30, 2013, submitted to Council by Public Director Blake Lettenmaier describing an evaluation of various water meter system options and making a recommendation to Council for the purchase of a system through General Pacific Inc. of Portland, Oregon, is hereby incorporated into this resolution as *Exhibit A*.

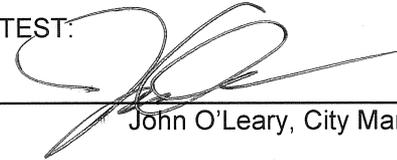
Section 3. The Garibaldi Contract Review Board hereby approves the use of a special exemption to City's public contracting competitive bid requirements as described in GMC § 3.10.110(C)(3) and (B)(4) for the purpose of purchased data collection hardware and related software that is compatible with the City's water system billing program.

Section 4. The Garibaldi Contract Review Board hereby authorizes the City Manager to purchase meter reading equipment and data processing software as described in a certain quote dated December 27, 2013, and incorporated into this resolution as **Exhibit B**.

PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR, this 18th Day of February, 2014.



Hon. Suzanne McCarthy, Mayor

ATTEST:


John O'Leary, City Manager

TO: Mayor McCarthy, Council President Kandle, Vice Pres Bartolomucci, Cn Foulk,
Cn Westerfield, City Manager O'Leary
FROM: Blake Lettenmaier, Public Works Director
DATE: August 30, 2013
SUBJECT: Seeking your approval to purchase Automatic Water Meter Reading Software,
Hardware and some Meters

Greetings Council and Manager,

After lengthy conversations with various Municipalities and water meter suppliers, I have come to rely heavily on City of John Day's extremely thorough investigation and choice of Automated Meter Reading Equipment. Monty Legg, City of John Day (541-792-0703), ran five suppliers through harsh testing by obtaining meters and readers from each of the five companies. He then installed all the meters in meter boxes (2-foot diameter steel cylinders), poured five gallons of water in, placed insulation over the top and covered with a steel plate; radio waves do not like steel barriers. This was done in sub-freezing temperatures. For the next few weeks, John went out with all five meter readers and drove his testing circuit. Three company's meters could not be read. This narrowed it down to two companies, Consolidated Supply's Hot Rod and General Pacific's Badger. Both were about the same price. Except now Consolidated's are plastic and General Pacific's are brass NSA 61 (no-lead).

Additionally, Cannon Beach went through a less brutal investigation and also chose Badgers. Arch Cape chose Hot Rod and has had many problems and are not happy with them.

Before making my final proposal, I would like to tour Cannon Beach's overall system including the billing side of it with Mary DeLoria. I have spoken with Daniel Wilyard of Cannon Beach and they are more than happy to give us a tour. After such tour and if Mary is in agreement, I will make my proposal formal. I thought I would ease into it slowly with you so you could give it some thought at your leisure.

Attached is an analysis of costs, pay-back times, benefits, etc. for three of the Badger systems. I am tentatively recommending the Orion ME system where we purchase the hardware, software and a few meters in this fiscal year and getting that system honed to a feverish pitch with the help of the supplier having the incentive of selling us the rest of the meters in future fiscal periods as fund allow.

Thank you in advance for your contemplation and consideration.

If you have any questions or comments, please call (503-322-0217), email (blake@ci.garibaldi.or.us) or stop by (206 S. 7th Street).

A RESOLUTION OF THE GARIBALDI CITY COUNCIL ACTING AS THE GARIBALDI CONTRACT REVIEW BOARD MAKING A SPECIFIC EXEMPTION TO THE COMPETITIVE BID REQUIREMENTS OF GARIBALDI MUNICIPAL CODE SECTION 3.10., PUBLIC CONTRACTS, AND AUTHORIZING STAFF TO PURCHASE DATA PROCESSING HARDWARE AND SOFTWARE -- EXHIBIT A

City of Garibaldi

**Automated Meter Reading
(AMR) and Advanced Metering
Infrastructure (AMI) Systems**

Results and Recommendations

Decision Making Considerations

- It is likely many municipalities base the final decision on price; what metering system will meet their minimum requirements and provide the lowest initial price
- Price should be just one of many factors considered when looking at “total cost of ownership”
- This presentation will walk through the total lifecycle cost of all the systems considered to help us make a more informed decision

Components

1. **Total project investment (total cost)**
 - Metering system investment
 - Support system investment
 - Installation labor investment
 - Cost of money (discount rate)
 - Speed of deployment
2. **Accuracy of meter over useful life**
 - Initial accuracy
 - Sustained accuracy over life of system
3. **Reading costs**
 - Cost reductions for implementation of automated meter system
4. **Warranty coverage and maintenance requirements**
 - Failure rates, maintenance costs, etc.

Total Project Investment

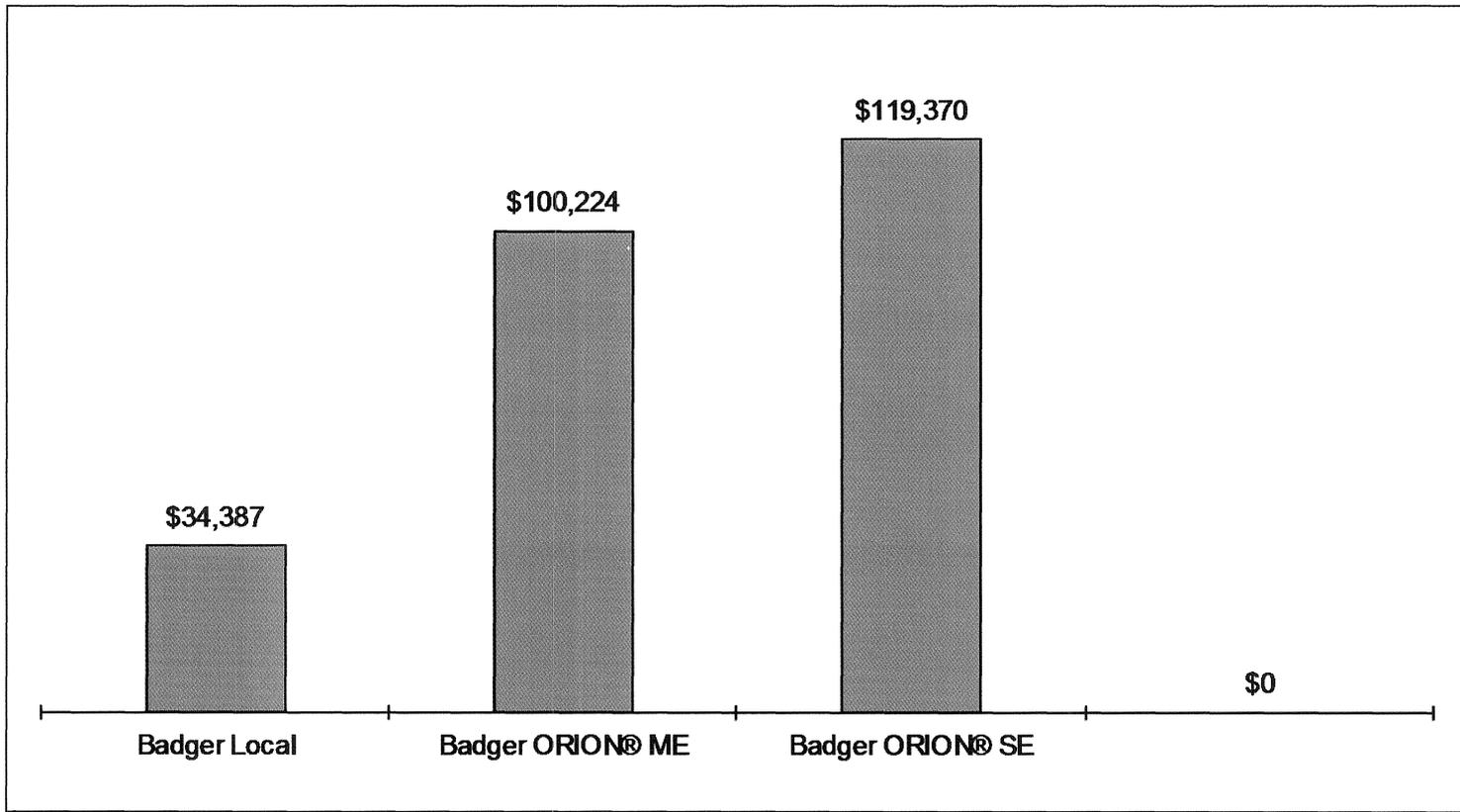
- Based on inputs from our city data, we can expect the following project investment(s) for the various metering systems looked at:

SUMMARY

TOTAL SYSTEM COST/SAVINGS (NPV):

	Badger	Badger	Badger	
	<u>Local</u>	<u>ORION® ME</u>	<u>ORION® SE</u>	<u>Not Used</u>
Total Project Investment	51,548	144,127	164,362	0
Present Value of Project Investment	34,387	100,224	119,370	0

Project Costs (NPV)



Importance of Meter Accuracy

- AWWA standards require new meter accuracy +/- 1.5%
- Meters tend to lose accuracy over time
- Lower accuracy means lower revenue for us and inequitable cost distribution to our customers
- We compared the value of meter accuracy between alternate systems over time
- Higher long term accuracy means fewer rate adjustments, more revenues, lower replacement costs

Badger Meter Accuracy vs. Industry

Meter Size	AWWA Low Flow Standard	Badger Meter Low Flow Specs
5/8"	1/4 GPM @ 95%	1/4 GPM @ 98.5%
3/4"	1/4 GPM @ 95%	3/8 GPM @ 97%
1"	3/4 GPM @ 95%	3/4 GPM @ 95%
1 1/2"	1 1/2 GPM @ 95%	1 1/4 GPM @ 95%
2"	2 GPM @ 95%	1 1/2 GPM @ 95%

Meter Size	AWWA Flow Range	Badger Meter Flow Range
5/8"	1/4 to 20 GPM	1/8 to 25 GPM
3/4"	1/2 to 30 GPM	3/8 to 35 GPM
1"	3/4 to 50 GPM	1/2 to 55 GPM
1 1/2"	1-1/2 to 100 GPM	1-1/4 to 120 GPM
2"	2 to 160 GPM	1-1/2 to 170 GPM

Meter Accuracy Savings

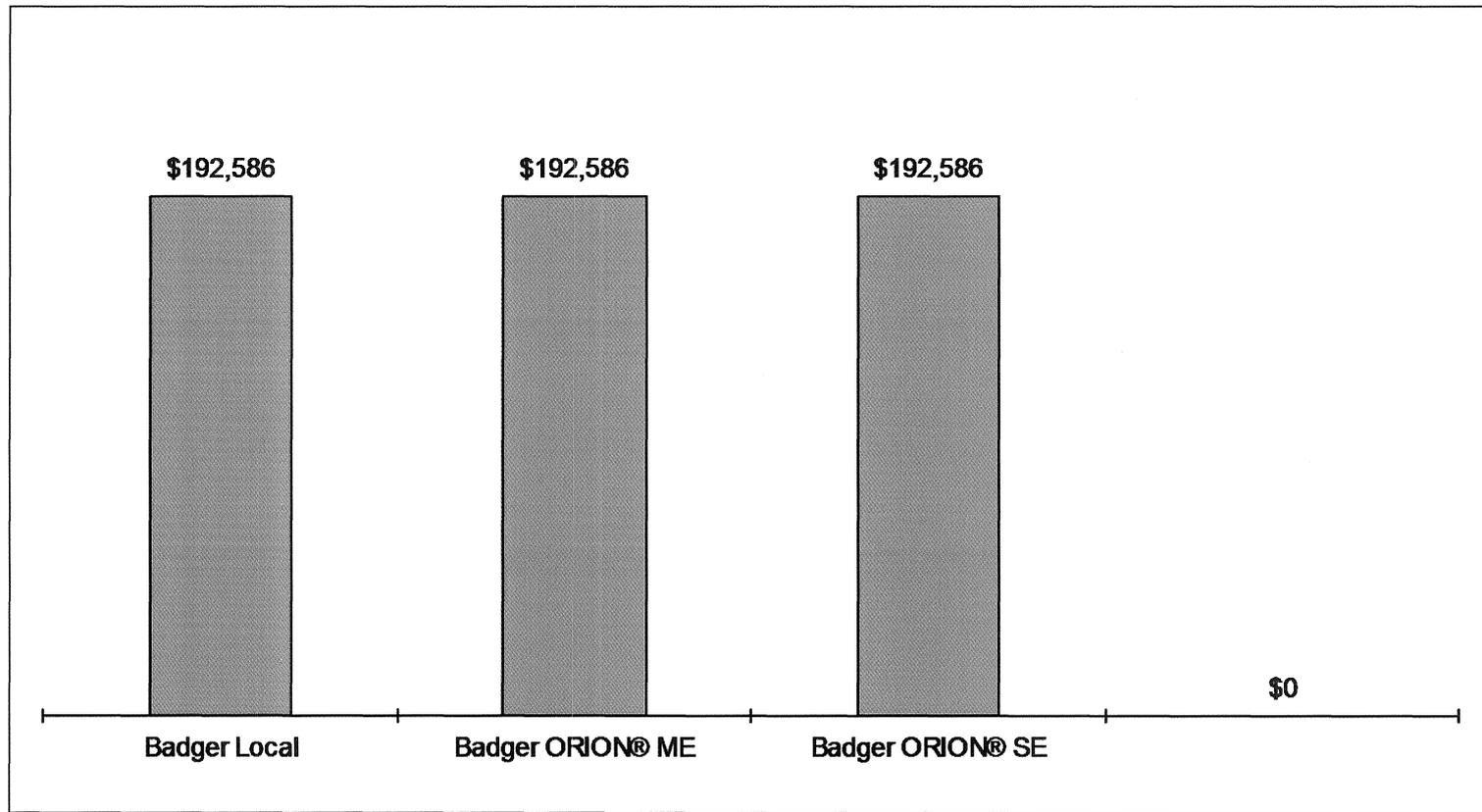
- Based on inputs of city data, we can expect the following NPV savings from improved meter accuracy:

SUMMARY

TOTAL SYSTEM COST/SAVINGS (NPV):

	<u>Badger</u> <u>Local</u>	<u>Badger</u> <u>ORION® ME</u>	<u>Badger</u> <u>ORION® SE</u>	<u>Not Used</u>
Total Project Investment	51,548	144,127	164,362	0
Present Value of Project Investment	34,387	100,224	119,370	0
NPV Savings (Costs) From:				
Meter Accuracy	192,586	192,586	192,586	0

Meter Accuracy Savings



Benefits of AMR/AMI system on reading costs

- Reduced meter reading labor costs and related employment issues/costs
- Improved billing accuracy
- Fewer customer complaints
- Improved cash flow due to shorter (or even more frequent) reading to billing period
- Eliminate estimated reads
- Reduce costs of special, high risk and final reads
- Reduce/eliminate disputed read costs
- Improve reading/billing frequency
- Restructure field services functions/staff
- Leak detection/high bill avoidance

Step 3: Metering Reading Costs

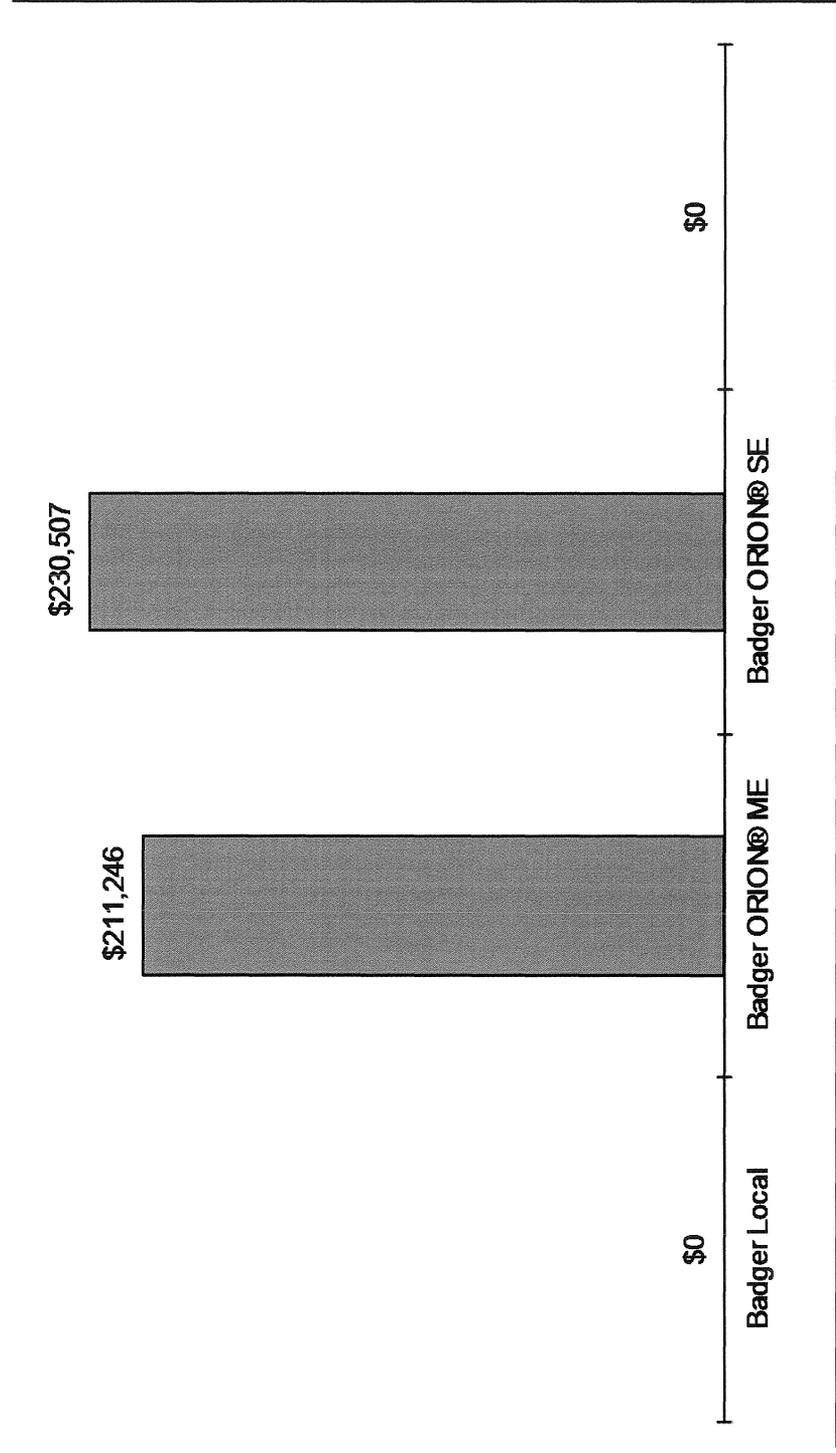
- Based on inputs from city data, we can expect the following NPV savings from meter reading cost savings:

SUMMARY

TOTAL SYSTEM COST/SAVINGS (NPV):

	Badger	Badger	Badger	
	<u>Local</u>	<u>ORION® ME</u>	<u>ORION® SE</u>	<u>Not Used</u>
Total Project Investment	51,548	144,127	164,362	0
Present Value of Project Investment	34,387	100,224	119,370	0
NPV Savings (Costs) From:				
Meter Accuracy	192,586	192,586	192,586	0
Reading Costs	0	211,246	230,507	0

Meter Reading Costs Savings



Warranty and Maintenance Costs

- Future maintenance costs must be considered in the evaluation of the metering system costs:
 - Future failure rates
 - Future maintenance costs
 - Warranty replacement values

Warranty and Maintenance Costs

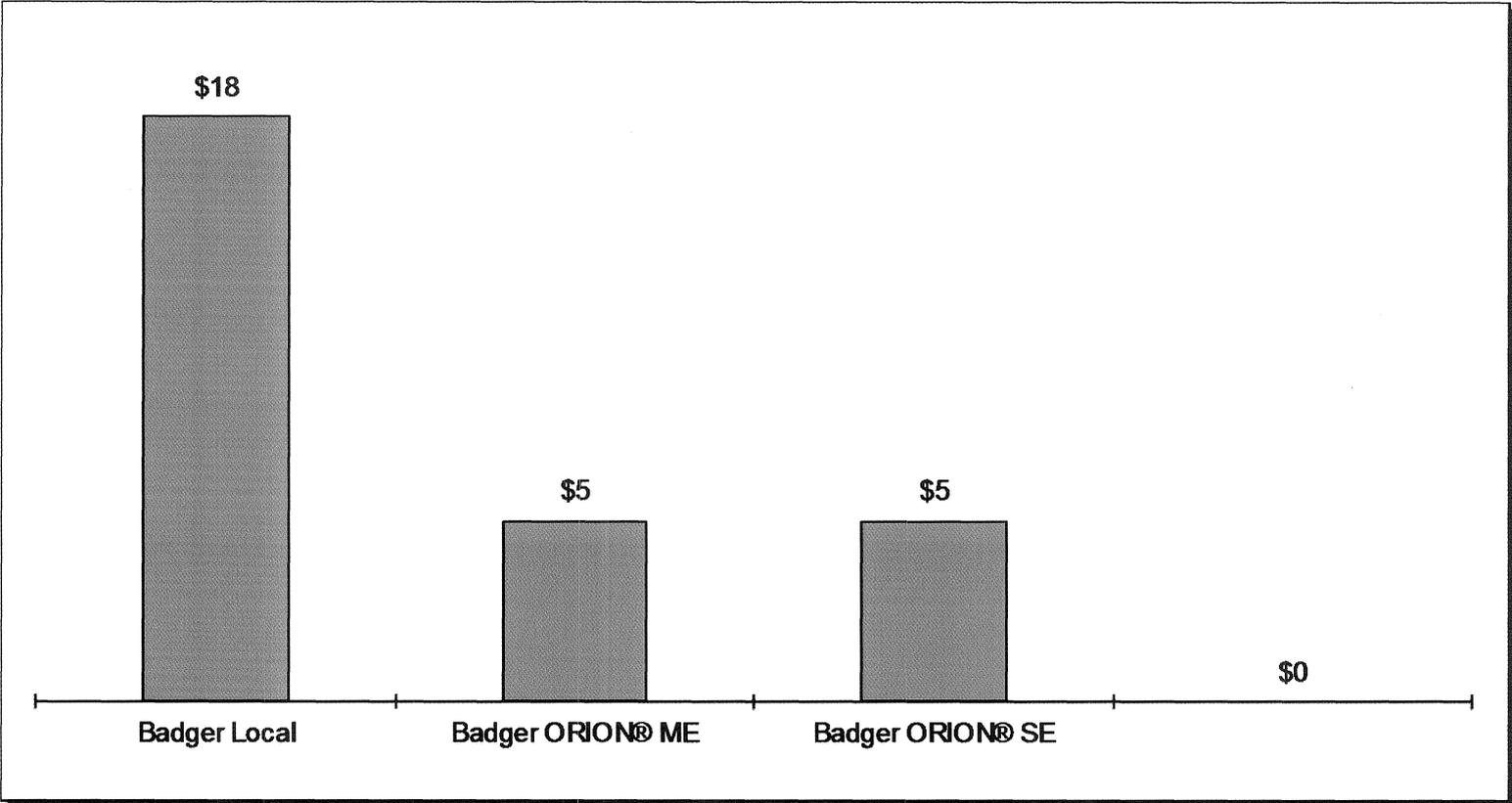
- Based on inputs from city data, we can expect the following NPV savings from warranty and maintenance cost savings:

SUMMARY

TOTAL SYSTEM COST/SAVINGS (NPV):

	Badger	Badger	Badger	
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Total Project Investment	51,548	144,127	164,362	0
Present Value of Project Investment	34,387	100,224	119,370	0
NPV Savings (Costs) From:				
Meter Accuracy	192,586	192,586	192,586	0
Reading Costs	0	211,246	230,507	0
Warranty & Maintenance	18	5	5	0

Warranty and Maintenance Cost Savings



Total System Savings

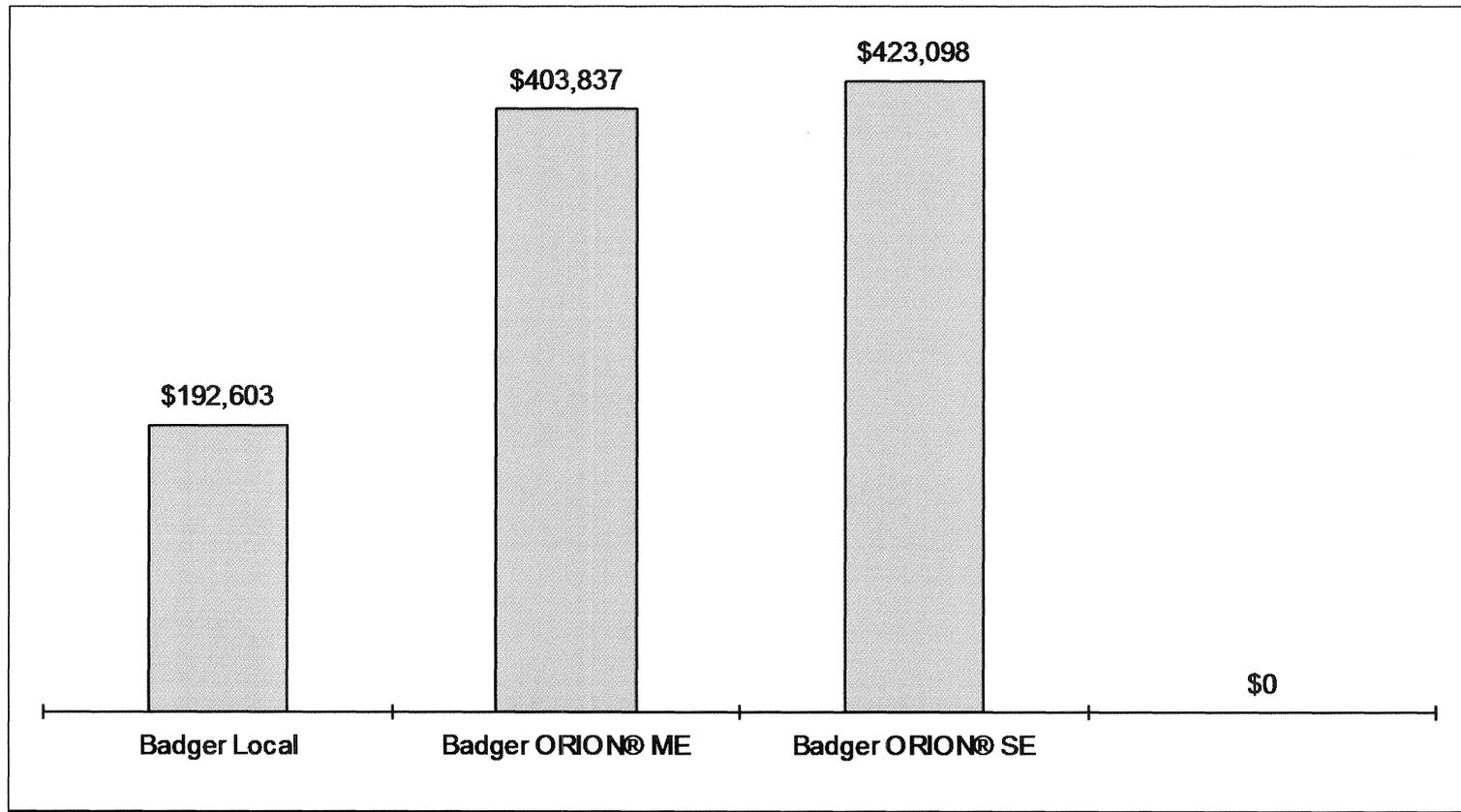
- Combining the savings realized from improved meter accuracy, reduced reading costs, lower maintenance and better warranties we can see the following total savings:

SUMMARY

TOTAL SYSTEM COST/SAVINGS (NPV):

	Badger <u>Local</u>	Badger <u>ORION® ME</u>	Badger <u>ORION® SE</u>	<u>Not Used</u>
Total Project Investment	51,548	144,127	164,362	0
Present Value of Project Investment	34,387	100,224	119,370	0
NPV Savings (Costs) From:				
Meter Accuracy	192,586	192,586	192,586	0
Reading Costs	0	211,246	230,507	0
Warranty & Maintenance	18	5	5	0
Battery Life & Costs	0	0	0	0
Total Savings	192,603	403,837	423,098	0

Total System Savings



Total Savings

- When taking the total system savings, subtracting the total cost in NPV terms, and comparing it to the investment value of the project, we can calculate the total lifecycle savings realized by this project
- Additionally, we can calculate the project payback period and the internal rate of return (IRR) to help get the full picture of what system/project is in our best interest

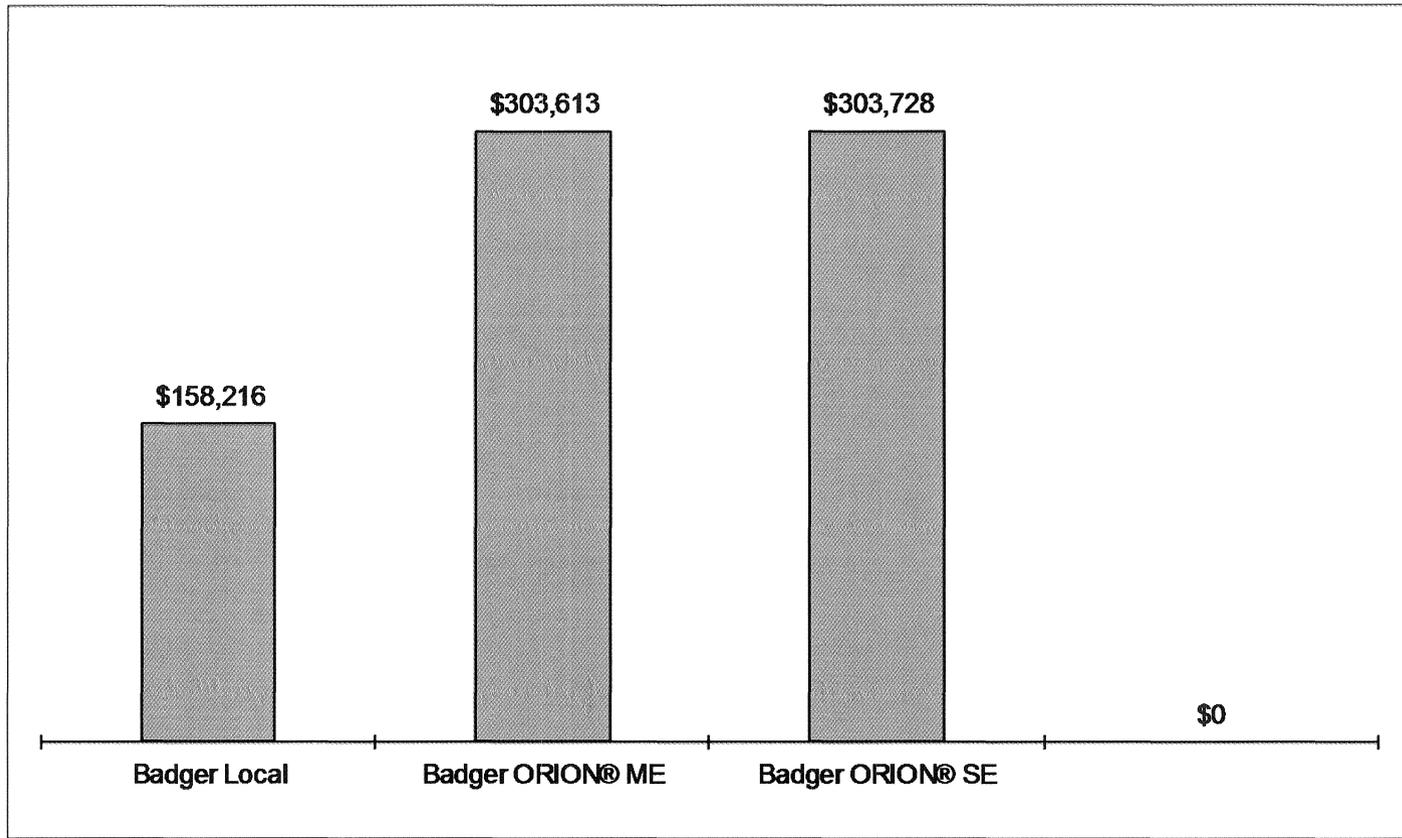
Total Savings

SUMMARY

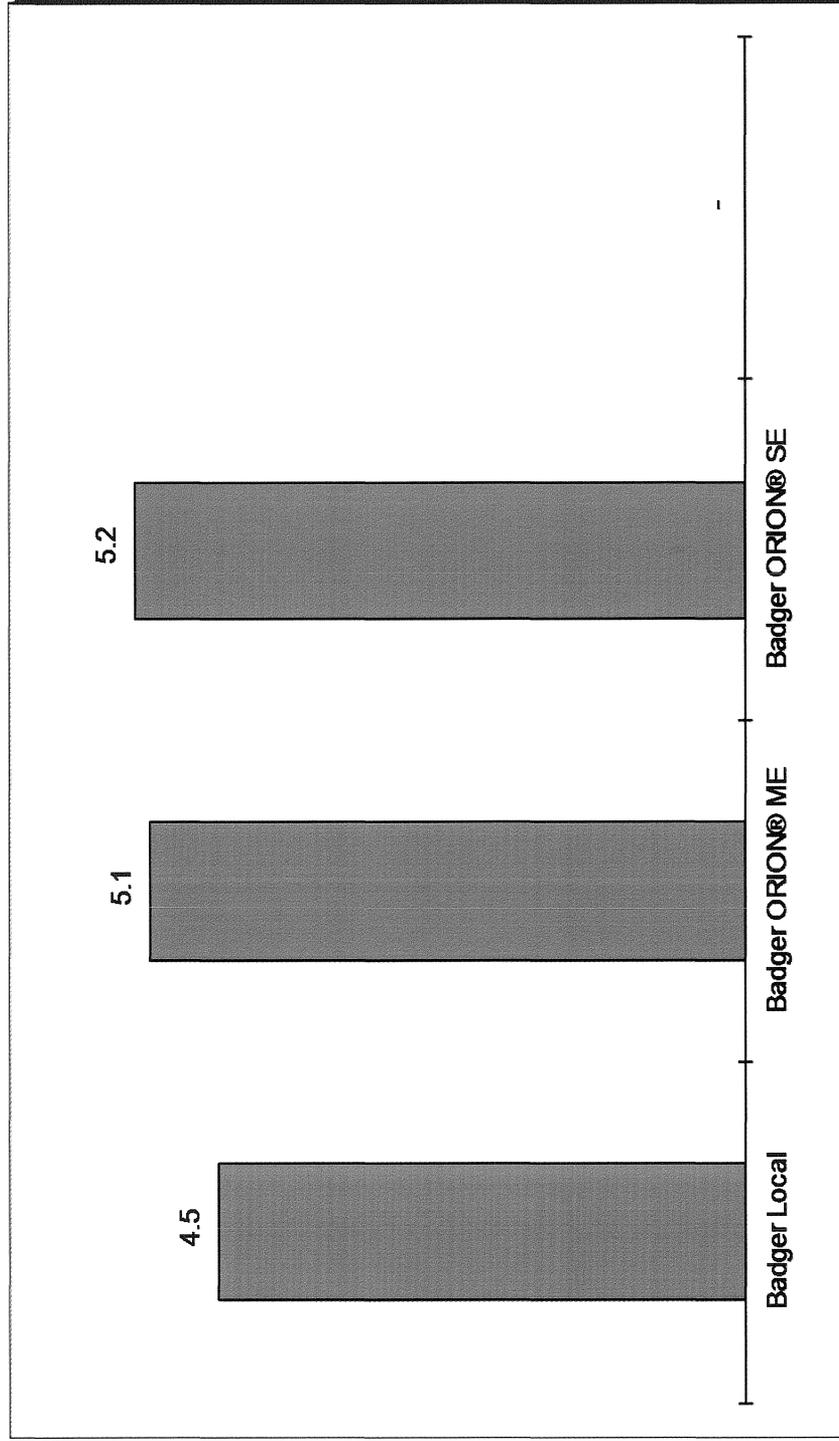
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NPV Savings (Costs) From:				
Meter Accuracy	192,586	192,586	192,586	0
Reading Costs	0	211,246	230,507	0
Warranty & Maintenance	18	5	5	0
Battery Life & Costs	0	0	0	0
	-----	-----	-----	-----
Total Savings	192,603	403,837	423,098	0
	-----	-----	-----	-----
Total Life Cycle Savings (Cost)	158,216	303,613	303,728	0
Project Pay-Back in Years	4.5	5.1	5.2	0.0
Internal Rate of Return	274.4%	93.7%	70.5%	0.0%

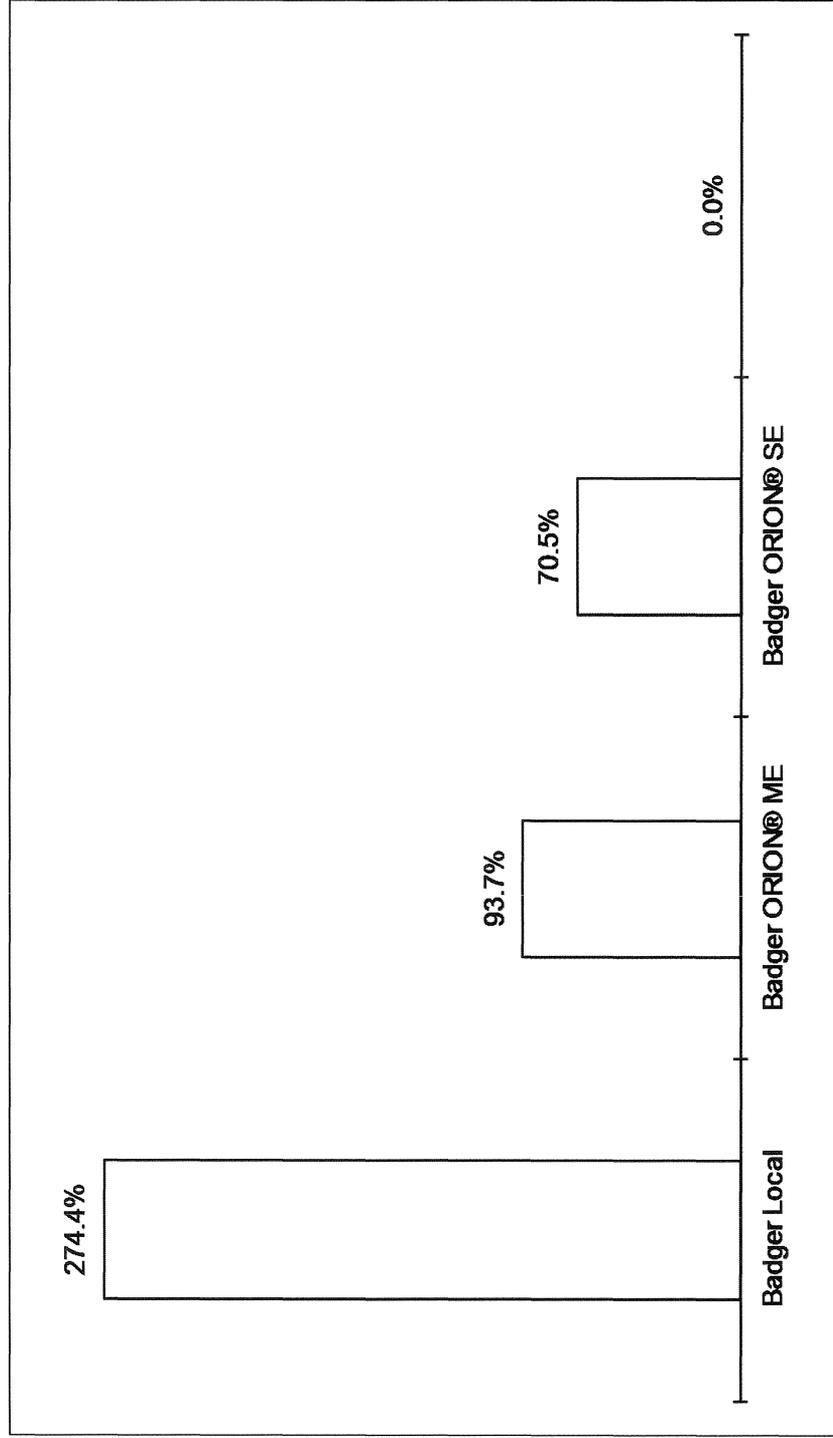
Total Lifecycle Savings



Project Payback (in years)



Project Internal Rate of Return



Summary

- Initial purchase investment is not reflective of the total cost of ownership
- We also need to focus on meter performance measures:
 - Meter Accuracy
 - Reduced Reading Costs
 - Warranty and Maintenance Costs
- We have considered all of these factors when calculating the total lifecycle savings
- In addition, qualitative factors must also be considered



Quote

General Pacific, Inc.
 22414 NE Townsend Way
 PO Box 70
 Portland, OR 97024
 (503) 907-2876 Fax (503) 489-2103

Date: December 27, 2013
 Quote # 41635.32

To: City of Garibaldi
 Contact: Blake Lettenmaier
 Email: blake@ci.garibaldi.or.us

Annual Maintenance Fees

Quoted By			
Jason Vancleave			
Qty	Description	Unit Price	Extended Price
1	Trimble Ranger	\$450.00	\$450.00
1	Readcenter Software	\$840.00	\$840.00
First Year of Maintenance Included			
All maintenance fees will be billed annually by Badger direct to customer.			
Total			\$1,290.00

1. Standard General Pacific Terms and Condition will apply.
2. Prices subject to change without notice.
3. There will be a restocking fee for returned Material.
4. Special order items are final. (No Returns)
5. The customer is responsible for all applicable sales tax
6. Payment Terms Net 30
7. Freight Prepaid and add for orders under \$20,000.00

Thank you for your business!

**SPECIAL PROCUREMENT
REQUEST FOR APPROVAL**

To: City Manager and City Council

From: Blake Lettenmaier, Public Works Director
Martin McCormick, Water Distribution DRC

Date: September 20, 2013

Subject: REQUEST FOR APPROVAL OF A SPECIAL PROCUREMENT

In accordance with ORS279B.085, this request for approval of a Special Procurement is being presented to the City Manager and Council for approval. This written request for approval describes the proposed contracting procedure and the goods or services or the class of goods or services to be acquired through the special procurement and the circumstances that justify the use of a special procurement under the standards set forth ORS 279B.085(4).

1. **Requesting Department Name:** Public Works Department
2. **Department Contact Name:** Blake Lettenmaier, Public Works Department
3. **Type of Request:** Class Special Procurement Contract-specific Special Procurement
4. **Time Period Requested:** From October 21, 2013 To: October 20, 2018
5. **Total Estimated Cost:** This year; \$12,000, Average cost per next 4 fiscal years \$34,000 per year
6. **Short title of the Procurement:** Badger Water Meters w/Radio Reads, ORION® ME

Supplies and/or Services or class of Supplies and/or Services to be acquired:

This Contract-specific Special Procurement is being requested to purchase Badger Water Meters with radio reads directly from General Pacific for a term of five years.

7. Background and Proposed Contracting Procedure: Provide a description of what has been done in the past and the proposed procedure. The Agency may, but is not required to, also include the following types of documents: Notice/Advertising, Solicitation(s), Bid/Proposal Forms(s), Contract Form(s), and any other documents or forms to be used in the proposed contracting procedure. Attach additional sheets as needed.

Background: Badger water meters have become the standard water meter for many cities over the last 6 years based on cost results and comparisons made. The Badger water meters were the least expensive water meters that satisfied the many city's water distribution system requirements

at that time and continue to be city's standard water meter. Secondary to the purchase of water meters is the acquisition of radio reads for the water meters using the ORION® ME meter reading equipment and software.

Some cities that use Badger meters include Manzanita, Cannon Beach, Seaside, Astoria, McMinnville, Forest Grove, North Plains, John Day, Tualatin Valley Water District, Monmoth, East Salem, Beaverton, Oregon City, Milwaukie, City of Portland and more. For a list of cities using Badger ORION AMRs see attached USER list attached.

Proposed procedure:

The proposed sourcing method is "direct award" to General Pacific for Badger water meters and meter reading equipment.

Per the attached letter from Badger Meter, General Pacific of Portland, Oregon is the only authorized distributor for Badger Meter products for the state of Oregon.

8. Justification for use of Special Procurement: Describe the circumstances that justify the use of a Special Procurement. Attach relevant documentation.

Having spoke with pertinent representatives from other cities, Badger water meters have been consistently reliable and durable in all applications resulting in low maintenance costs and fewer change-outs.

9. Findings to Satisfy the Required Standards: This proposed special procurement:

X (a) will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts because:

Other water meters were used in the past, but as of 2007 Badger water meters have been other citie's standard water meter.

(Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.); **and**

X (b)(i) will result in substantial cost savings to the contracting agency or to the public because:

Badger water meters have been consistently reliable and durable in all applications resulting in low maintenance costs and fewer change-outs.

(Please provide the total estimate cost savings to be gained and the rationale for determining the cost savings); **or**

X (b)(ii) will otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the requirements of ORS 279B.055, 279B.060, 279B.065, or 279B.070, or any rules adopted thereunder because:

It is in the City's best interest to use Badger water meters because the meters have been consistently reliable and durable in all applications resulting in low maintenance costs and fewer change-outs. Additionally they are brass bodies that are lead-free (see attached white paper) not plastic.

(Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.)

Public Notice:

Pursuant to ORS 279B.085(5) and OAR 137-047-0285(2), a Contracting Agency shall give public notice of the Contract Review Authority's approval of a Special Procurement in the same manner as a public notice of competitive sealed Bids under ORS 279B.055(4) and OAR 137-047-0300. The public notice shall describe the Goods or Services or class of Goods or Services to be acquired through the Special Procurement and shall give such public notice of the approval of a Special Procurement at least seven (7) Days before Award of the Contract.

After the Special Procurement has been approved by the City Council, the following public notice will be posted on the City's website to allow for the seven (7) day protest period.

Date Public Notice first appeared on <http://www.ci.garibaldi.or.us/> – October 22, 2013 *[If approved by Council, October 21, 2013]*

PUBLIC NOTICE
Approval of a Special Procurement

First date of publication: **October 22, 2013** *[If approved by Council, October 21, 2013]*

A request for approval of a Special Procurement was presented to and approved by the City Council, acting as the Local Contract Review Board, on October 21, 2013 *[If approved by Council October 21, 2013]*.

This Contract-specific Special Procurement allows the City to purchase Badger water meters with ORION radio reads directly from General Pacific. General Pacific is the "authorized and sole distributor" for Badger Meters in Oregon. Badger water meters have been consistently reliable and durable in all applications resulting in low maintenance costs and fewer change-outs. If the factors justifying the use of this Contract-specific Special Procurement remain the same, water meters will continue to be purchased on an as needed basis from General Pacific as approved in this Contract-specific Special Procurement until October 20, 2018.

It has been determined based on written findings that the Special Procurement will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts, and result in substantial cost savings or substantially promote the public interest in a manner that could not be realized by complying with the requirements that are applicable in ORS 279B.055, 279B.060, 279B.065, or 279B.070.

An affected person may protest the request for approval of a Special Procurement in accordance with ORS 279B.400 and OAR 137-047-0300. A written protest shall be delivered to the following address: City of Garibaldi, John O'Leary, City Manager, P.O. Box 708, Garibaldi, OR 97118. The seven (7) day protest period will expire at 5:00pm on October 29, 2013. *[If published on October 22, 2013, it will expire October 29, 2013]*

This public notice is being published on the City's Internet World Wide Web site at least seven days prior to the award of a public contract resulting from this request for approval of a Special Procurement.



4545 W Brown Deer Road
PO Box 245036
Milwaukee, Wisconsin 53224-9536
414-355-0400 | 800-876-3837
www.badgermeter.com

September 20, 2013

Mr. Blake Lettenmaier
Public Works Director
City of Garibaldi
107 6th St.
Garibaldi, OR 97118

Subject: Sole Source Certification

Badger Meter, Inc., does hereby certify that General Pacific of Portland, Oregon is the only authorized distributor for Badger Meter products for the states of Washington, Oregon, and Northern Idaho.

You may contact Lori Bryson or Jon Koch at General Pacific for local support of your Badger Meter needs.

General Pacific
5600 NE 122nd Ave.
Portland, OR 97230
1-800-547-9744

Sincerely,

A handwritten signature in cursive script that reads 'Theresa M. Szafranski'.

Theresa M. Szafranski
Assistant Secretary



Northwest Orion Users

Chelan County PUD, Wenatchee, WA

Ron Slabaugh (509) 661-4131

ron.slabaugh@chelanpud.org

Central Shoshone Water, Kellogg, ID

Dennis Norris (208) 786-9141

City of Cannon Beach, OR

Daniel Willyard, (503) 436-8082

willyard@ci.cannon-beach.or.us

City of Eagle Point, OR

Gary Shipley, (541) 826-4212 ext 136

City of John Day, OR

Monte Legg (541) 575-0028

Skagit PUD #1, WA

Kevin Tate (360) 424-7848

City of Stanwood, WA

Andy Bullington (360) 629-5323

City of Bothell, WA

Ted Stonebridge (425)486-2768 Ext 4107

City of Quincy, WA

Dave Reynolds (509) 787-4131 ext 402

Town of La Conner, WA

Brian Lease (425) 355-3355

City of Othello, WA

Terry Clements (509) 488-6997

City of Startup, WA

Ken Lindgren (360) 793-1833

Alderwood Water District, Lynwood WA

Paul Richart

prichart@awwd.com

City of Ritzville, WA

Larry Swift (509) 659-1930

City of Sultan, WA

Mike Williams (360) 793-2231

Tualatin Valley Water District, OR

Chris Johnson (503) 848-3051

City of Hermiston, OR

Roy Bicknell (541) 567-5521

Manchester Water District, Manchester, WA

Dennis O'Connell (360) 871-0500

Camano Water District, Camano Island, WA

John McClean (360) 387-9136

Utsalady HOA, Camano Island, WA

Franklin DeFazio (360) 387-0039

City of Molalla

Joyce White (503) 829-6855

City of Auburn, WA

Chad Jordison (253) 931-3066

City of Coeur d'Alene, ID

Rob Starks (208) 661-6535

rstark@cdaid.org

Northshore Utility District

Al Nelson (425) 398-4428

anelson@nud.net

H&R Water, Olympia WA

Jim Campbell JimC@thewaterco.net

Lake Limerick CC, Shelton WA

Rob Koenig (360) 432-8978



Badger Meter

**Upcoming Standards &
Compliance Regarding
Lead-Free Requirements**



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Summary

Badger Meter has and will continue to manufacture and provide products that meet the requirements of current and future lead-free standards. This white paper discusses these changing industry needs both as they relate to Badger Meter products and to water utilities in general.

Background

Over the past several years, regulatory and legislative efforts to reduce the lead contained in all plumbing related products used to deliver drinking water to end users has increased at the state and now federal levels. As a leader in water meter manufacturing, Badger Meter continues to be proactive in this movement.

Lead-related standards began with NSF/ANSI Standard 61. This standard establishes limits for the amount of lead and other contaminants that may leach into drinking water from contact with the wetted surfaces of a meter.

Subsequently, several states have or are in the process of implementing laws which address the allowable lead content in plumbing-related products, specifically California and Vermont. Both these states have passed laws, effective Jan. 1, 2010, requiring wetted surface areas of plumbing fixtures, valves, fittings and pipes to contain no more than an area weighted average of 0.25 percent lead. This is a significant reduction from the previous requirement of 8 percent or less. California and Vermont are driving the lead-free plumbing movement while other states, such as Maryland and Louisiana have or are adopting similar legislation. Ultimately, upcoming federal legislation will be enforcing stricter lead-free requirements nationwide.

Solution

While there are a variety of lead-related standards, regulations and laws, Badger Meter has a full line of products that meet these requirements. In fact, Badger Meter already is in compliance with tighter NSF/ANSI Standard 61 conditions that went into effect on July 1, 2012. These same products also meet the Jan. 4, 2014 federal lead content limitations.

To help clarify the different requirements, the potential impact, and how Badger Meter products meet these requirements, each item will be discussed separately.

Jan. 1, 2010 California AB 1953, Vermont S.152 and NSF/ANSI Standard 61, Annex G

The state of California enacted legislation (AB 1953) into law which revised the term “lead-free” as it relates to any pipe, pipe or plumbing fitting, or fixture intended to convey or dispense water for drinking or cooking purposes. For metering products, “lead-free” means not more than an area weighted average lead content of 0.25 percent. Similar legislation in Vermont, S.152, also stipulates that all plumbing products shall comply with a 0.25 percent lead requirement.

Both laws went into effect on Jan. 1, 2010, and state that no person will be able to use, install, or bring into commerce any products listed above unless they comply with the new lead-free law.

In addition, California’s law requires third-party certification. NSF/ANSI Standard 61, Annex G was developed by NSF to establish a lead content evaluation procedure for use when products need to be certified to meet 0.25 percent weighted average lead content maximums.

Badger Meter BiAlloy, engineered polymer, M-Series® and E-Series® meters, and BiAlloy and steel strainers are all certified to NSF/ANSI Standard 61, Annex G.

Jan. 1, 2012 Maryland HB 372

Similar to the laws currently in effect in California and Vermont, the state of Maryland has enacted legislation, HB 372, into law. Like the California and Vermont laws, the Maryland law also reduces the amount of lead allowed in plumbing-related products that provide water for human consumption to 0.25 percent weighted average lead content.

While California’s law requires third-party certification, such as NSF/ANSI Standard 61, Annex G, Maryland’s law does not.

HB 372 went into effect Jan. 1, 2012. The same meters from Badger Meter that meet the California and Vermont laws also meet Maryland's law.

NSF/ANSI Standard 61, Annex G and NSF/ANSI Standard 372

In addition to these recent state and federal developments, there are current and pending revisions to NSF/ANSI Standard 61.

NSF/ANSI Standard 61 typically manifests itself as a state or local voluntary standard which establishes limits on water utilities for the amount of lead that may leach into drinking water from the water contact materials within water products. Testing under NSF/ANSI Standard 61 is intended to limit leaching of contaminants, including lead, from products into water at levels exceeding applicable drinking water criteria. The current acceptable level for lead is 5 ppb for small meters and 0.5 ppb for meters in sizes 4 inches and above.

NSF/ANSI Standard 61 was revised in Dec. 2008 to necessitate a 0.25 percent lead content limit in addition to current chemical extraction (i.e., leachate) requirements. These refinements were placed in Annex G. To be certified to NSF/ANSI Standard 61, Annex G, product must first be certified to NSF/ANSI Standard 61.

There is a new standard for product certification to lead-free content standards without the leachate certification, NSF/ANSI Standard 372 (Drinking Water System Components, Lead Content). NSF/ANSI Standard 372 is a stand-alone certification for the lead-free content criteria of Annex G, but it does not require prior NSF/ANSI Standard 61 certification.

NSF/ANSI Standard 372 will replace the lead content conditions of Annex G by Jan. 4, 2014.

July 1, 2012 Revisions to NSF/ANSI Standard 61 (Formerly Referred to as Annex F)

On July 1, 2012, the chemical extraction requirements of NSF/ANSI Standard 61 were tightened to meet lead extraction limits of 5 ppb instead of the prior 15 ppb for small meters and 0.5 ppb instead of 1.5 ppb for meters 4 inches and larger. The tightened requirements were detailed within Annex F but became the new lead leachate requirement of NSF/ANSI Standard 61.

Badger Meter BiAlloy, engineered polymer, M-Series and E-Series meters comply and are certified to this tighter standard. To obtain a copy of the NSF compliance listing issued to Badger Meter, please visit www.badgermeter.com/lead-free.

Jan. 4, 2014 Amendment to the Federal Safe Drinking Water Act – Public Law No. 111-380

The Safe Drinking Water Act (SDWA) is the main federal law that ensures the quality of America's drinking (potable) water and is administered by the EPA.

On Jan. 4, 2011, President Obama signed legislation (S.3874, the Reduction of Lead in Drinking Water Act) into federal law. This legislation amends the SDWA and reduces the maximum allowable percentage of lead that comes in contact with potable water. Similar to the California, Vermont and Maryland laws, this pending federal law will reduce the percentage of lead from its current limit of 8 percent to 0.25 percent. This is a federal requirement for all potable water applications. Currently, Public Law 111-380 does not require third-party compliance certification.

Public Law 111-380 will affect all states, and compels all water meter suppliers to provide complying meters and prohibits water utilities from using non-complying meters. Badger Meter BiAlloy, engineered polymer and stainless steel meters already meet these requirements. To assist water utilities with compliance with the new law, Badger Meter will cease offering B81 bronze meters, brass companion flanges or brass connection sets effective July 1, 2013.

Conclusion

As a benefit to our customers, Badger Meter manufactures a full line of lead-free meters made from bronze alloys, engineered polymer or stainless steel material. By offering the broadest choice in housing material, utilities have the flexibility to choose the best meter for their specific application.

Our BiAlloy bronze, engineered polymer, M-Series and E-Series meters currently meet the requirements of and are certified to NSF/ANSI Standard 61 and NSF 372. In addition, Badger Meter lead-free meters already comply with the new federal lead limitations, effective Jan. 4, 2014.

Chart of Requirements

REQUIREMENT	EFFECTIVE DATE	EXPLANATION	LIMITS	CERTIFICATION REQUIRED	BADGER METER COMPLIANCE
NSF/ANSI Standard 61	Est. 1988, current version 2012	Lead leaching/ extraction	5 ppb for meters 3" and smaller 0.5 ppb for meters 4" and larger	Yes (if state or local requirement)	<ul style="list-style-type: none"> Engineered polymer meters BiAlloy meters M-Series and E-Series meters See NSF listing for a complete list of certified products
AB 1953 California	Jan. 1, 2010	Lead content	Weighted average of not more than 0.25%	Yes (Annex G was written in response to AB 1953 thus products are certified to Annex G compliance)	<ul style="list-style-type: none"> Engineered polymer meters BiAlloy meters BiAlloy and steel strainers M-Series and E-Series meters See NSF listing for a complete list of certified products
NSF/ANSI Standard 61, Annex G	Available prior to Jan. 1, 2010	Lead content	Weighted average of not more than 0.25%	Written in response to AB 1953	<ul style="list-style-type: none"> Engineered polymer meters BiAlloy meters BiAlloy and steel strainers M-Series and E-Series meters See NSF listing for a complete list of certified products
S.152 Vermont	Jan. 1, 2010	Lead content	Weighted average of not more than 0.25%	No (products certified to Annex G compliance)	<ul style="list-style-type: none"> Engineered polymer meters BiAlloy meters BiAlloy and steel strainers M-Series and E-Series meters
NSF 372	Released Oct. 2010	Lead content	Weighted average of not more than 0.25%	Yes (if state or local requirement products must be certified to Annex G compliance)	<ul style="list-style-type: none"> Engineered polymer meters BiAlloy meters BiAlloy and steel strainers M-Series and E-Series meters
HB 372 Maryland	Jan. 1, 2012	Lead content	Weighted average of not more than 0.25%	Not currently (products certified to Annex G compliance)	<ul style="list-style-type: none"> Engineered polymer meters BiAlloy meters BiAlloy and steel strainers M-Series and E-Series meters See NSF listing for a complete list of certified products
HB 471 Louisiana	Jan. 1, 2013	Lead content	Weighted average of not more than 0.25%	Yes	<ul style="list-style-type: none"> Engineered polymer meters BiAlloy meters BiAlloy and steel strainers M-Series and E-Series meters See NSF listing for a complete list of certified products
Public Law No. 111-380	Jan. 1, 2014	Lead content national law	Weighted average of not more than 0.25%	No	<ul style="list-style-type: none"> Engineered polymer meters BiAlloy meters BiAlloy and steel strainers M-Series and E-Series meters Eliminates B81 as product offering

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