

REPORT TO CITY COUNCIL

Approved by:

Daniel Foss, Department Director

Arnaldo Rodriguez, City Manager

Council Meeting of: January 20, 2021

Agenda Number: D-1

SUBJECT:

Data management contract for water backflow prevention devices

RECOMMENDATION:

Adopt a Resolution authorizing an online subscription agreement whereby Backflow Solutions, Inc., will perform notification and data management functions on behalf of the City regarding all backflows for three years, with an option to renew for up to two additional one-year renewal terms

SUMMARY:

Backflow Solutions, Inc., ("BSI") would provide notification and data management functions on behalf of the City regarding backflow prevention devices (BPD).

DISCUSSION:

Pursuant to State guidelines, as the local water provider, the City is required to record backflow data which in turn is provided to the State. State regulations outline when a BPD is required and there is an excess of 2,000 in the City. In a nutshell, a BPD is a mechanism that is used to protect the City's water supply from infiltration of contaminants via backflow (e.g. water from travelling back into the drinking water). They are located on primarily on private property and are required to be tested annually by a 3rd party. The City does not inspect BPD; however, the City is required to collect and report data to the state.

In an effort to better serve the community, staff contacted numerous firms that specialize in collecting data. BSI provides the services sought by the City.

If approved, BSI would:

- A. Maintain a website where testers can input data and pay the processing fee.
- B. Provide up to two notices to water customers that have BDP notifying them that their device is due for testing.
- C. Submit data to the state on behalf of the City.

Proposed is a 3-year agreement with BSI where the City would pay an annual \$495 subscription fee. This would be the only direct cost incurred by the City. In addition, users would be charged at the time of submission for the certification through BSI. Table 1 provides a summary of fees.

Table 1: Report Submission Plan		
<i>Year</i>	<i>Cost per submission to be paid by customer</i>	<i>Annual subscription to be paid by City</i>
1	\$12.95	\$495
2	\$13.95	\$495
3	\$14.95	\$495

Currently, City staff is responsible for collecting data, correspondence, mailings and postage, and follow-up with inattentive customers. As part of the agreement, BSI will absorb the costs to prepare and postage to notify customers. Should a customer continue to be inattentive after the second notice, City staff will follow-up.

FINANCIAL IMPACT:

The annual funding of \$495 for this agreement has been set aside in Water Enterprise Fund. Although this is an annual fee, the cost should be more than reciprocated due to not having to mail out over 2,000 notifications and staff time.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

While this item does not directly implement a Vision action item, it is not in conflict with one either.

ALTERNATIVES:

As an alternative, Council may:

- 1. Request that staff conduct additional research or identify a different vendor.
- 2. Elect to not enter into the agreement with Backflow Solutions, Inc. and request that staff continue to provide said service.

ATTACHMENTS:

1. Resolution
 - a. Exhibit A – Agreement
 - b. Exhibit B – Scope of Work

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,
CALIFORNIA AUTHORIZING AN ONLINE SUBSCRIPTION AGREEMENT
WHEREBY BACKFLOW SOLUTIONS, INC. (BSI) WILL PERFORM CERTAIN
NOTIFICATION AND DATA MANAGEMENT FUNCTIONS ON BEHALF OF
THE CITY**

WHEREAS, the City has identified the need to enter into an online subscription agreement whereby BSI will perform certain notification and data management functions; and

WHEREAS, BSI will maintain a secure online database to ensure a functional backflow assembly tracking system along with sending up to two (2) notices to water customers that have assemblies, advising them that their assembly is due for testing; and

WHEREAS, to induce BSI to provide the service contemplated by this Agreement, for each test report submitted to the online data base, BSI will collect the fees \$12.95 in year 1; \$13.95 in year 2; and \$14.95 in year three; and

WHEREAS, the City shall pay BSI the sum of \$495.00 per calendar year as the annual "Subscription Fee"; and

WHEREAS, to discontinue services provided by BSI, there will be a required 30-day written notice.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA HEREBY finds, orders, and resolves as follows:

1. The above recitals are true and correct.
2. The City Council approves the online subscription agreement with Backflow Solutions, Inc., an Illinois corporation.
3. This resolution is effective immediately upon adoption.

* * * * *

Exhibit A

SUBSCRIPTION AGREEMENT

Effective this __20th__ day of __January__, 2021__, Backflow Solutions, Inc., an Illinois corporation (“BSI”) and the City of Madera, California (the “City”) hereby enter into an online subscription agreement whereby BSI will perform certain notification and data management functions on behalf of the City. The City will provide BSI with the information described hereafter and require that all companies that perform mandated backflow assemblies tests within the City be directed to the BSI website to enter the result of each Backflow Test performed within the City Jurisdiction.

1. **BSI Responsibilities.** In addition to any other responsibilities set forth elsewhere in this agreement, BSI shall, through the use of its proprietary software, BSI Online.

a. Maintain the secure Online Database to ensure a functional backflow assembly tracking system that is easy to understand and use by licensed testers. BSI shall also maintain an internet website where testers shall input all data related to Backflow Tests, they conduct within the water authorities’ jurisdiction.

b. Send up to two (2) notices to water customers that have Assemblies, advising them that their Assembly is due for testing. The “Test Due Notice” shall be mailed approximately 30 days prior to the scheduled test date. The second notice (the “Overdue Notice”) shall be sent after the Test Date has passed if Backflow Test results have not been entered to the Online Data Base. The Overdue Notice will advise the water customer of its delinquent test status. BSI shall immediately transmit an electronic copy of each Test Report to the Municipality. To facilitate the testing procedure, the Test Due Notice will include the identity of the water customer’s last Tester of record, together with all relevant contact information, provided that information is available to BSI. At the time, the Test Due Notice is mailed to the water customer, BSI will also transmit a notice to the last Tester of record advising that Tester that the water customer’s assembly is due to be tested. The Tester Notification is designed to increase test compliance, thereby reducing enforcement costs incurred by the City.

c. Provide the Scope of Services set forth in Attachment A to this Agreement.

2. **Contract Term:** The Initial Term of this Agreement shall be one year commencing on __1st__ day of __February__, 2021 (“Effective Date”) and ending __1st day __ of __March__, 2024. At its sole option, City may renew this Agreement for up to two additional one-year Renewal Terms upon the same pricing terms described herein by giving written notice of City’s election to exercise any renewal option to Contractor not less than thirty days prior to the expiration of the Initial Term or any Renewal Term.

3. **Inducement.** The City acknowledges and agrees that in order to induce BSI to provide the service contemplated by this Agreement, for each Test Report submitted to the Online Data Base the Data Entry Charge of \$12.95 per report shall be paid by the tester prior to uploading the test data to the Online Data Base for the initial.

i. Year 2: The per report submission shall be \$13.95

ii. Year 3: The per report submission increases to \$14.95

4. **Cost.** Municipality shall pay BSI the sum of \$495.00 per calendar year as the annual “Subscription Fee”.

5. **Termination.** If you wish to discontinue services provided by BSI, we require 30 days written notice.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first set forth above.

BACKFLOW SOLUTIONS, INC.,
An Illinois corporation

City of Madera
a body politic and corporate

By: _____

By: _____

Name: Melissa Joyce

Name: Santos Garcia

Title: Director of Sales

Title: Mayor

Address:

Address:

12609 South Laramie Ave

205 W 4th st.

Alsip, Illinois 60803

Madera, CA, 93637

ATTEST:

By: _____

Alicia Gonzales, City Clerk

APPROVED AS TO FORM:

By: _____

Hilda Cantu Montoy, City Attorney

Scope of Service

Notifications - BSI sends up to 2 customizable letters through the United States Postal Service from our office on behalf of the Water Purveyors, furnished with an approved logo but our return address. The timing and wording of the letters can be customized but a standard schedule is utilized of a 30 day notice and a past due notice.

Charlotte Harbor Water Association
Cross-Connection Control Program
PO Box 246
Worth, IL 60482



Liberty Cafe
C/O John Smith
3217 Center St
Punta Gorda, FL 12345

Your Customer Confirmation
Number (CCN) is: **0X00-X0XX**

Use this # to see when your reports have
been submitted at
www.bsionlinetracking.com/customer

April 15, 2020

RE: Backflow Assembly Test Due at 3217 Center St, Punta Gorda, FL 12345

Dear Water Customer,

The State of Florida requires backflow prevention assemblies be installed on all hazardous cross-connections to help keep our water supply safe. These assemblies must be tested and certified every year to ensure that they are working properly. Charlotte Harbor Water Association has partnered with BSI Online to assist in administering the backflow program in your community. Our records show the following backflow assembly(s) at your property, which are due to be tested by **May 15, 2020**.

Size	Manufacturer	Model	Serial Number	Hazard	Location
1"	Febco	860	H07692	Irrigation	NE corner

You are responsible for hiring a licensed backflow tester to perform the annual test and certification of the backflow assembly(s) listed above (BSI does not test backflow assemblies). Please provide the CCN listed in the top right corner of this letter to your backflow tester, as they will need this number to properly file your backflow test reports via BSI Online. You may also use this CCN at www.bsionline.com to verify when your backflow test has been filed, locate a list of testers in your area, or to simply learn more about backflow. Please contact BSI via e-mail bsionline@backflow.com or phone 800-414-4990 if you have any questions. Thank you for your cooperation and for helping to protect our water resources.

Sincerely,

Christine Walsh, Vice President
Agent for Charlotte Harbor Water Association

For your convenience, your last testing company
of record (if available) is listed below:

Ray's Plumbing, LLC (773) 555-0123

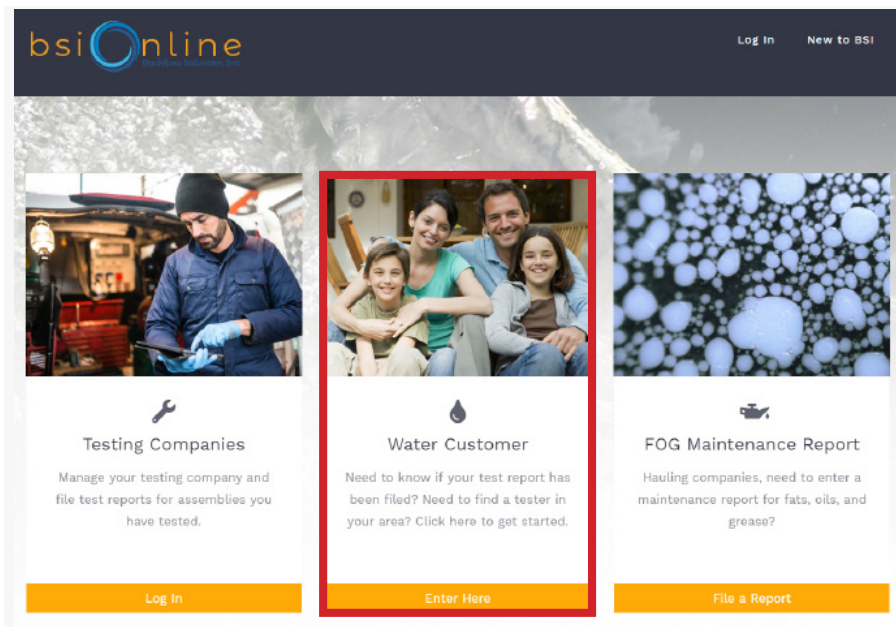
Scope of Work



Additional Letters - To help increase compliance, we have a Letter Template Feature, which is used by 90% of our customers to generate their own compliance or enforcement letter. The benefit of utilizing our system for additional letters is the letter is generated with information from your non-compliant report and time stamped directly in our system. All you do is click, print, and send!

Archival History of Letters - BSI is extremely transparent. We know this is your backflow program, we just help manage the data. In our Letters Feature, you can see all notifications generated and sent by our program. They are time stamped under each property address for you to see 24/7/365.

Web Portal for Water Customers - The water customer is an integral part of your backflow tracking program. Our job is to make sure all information regarding the testing and inspection requirements are properly conveyed and be available to answer any questions they may have.



On all notifications to water customers, they have a unique identifier, a Customer Confirmation Number or CCN, on the top right of their notifications. This unique identifier is what the water customer provides to the contractor to submit the results online securely. Such a unique identifier provides layers of security for your water customers, as it prevents data mining of the program and protects confidential customer information, such as an address.

The customer can use their CCN to look up a list of local, certified backflow testers on our website who meet the criteria set by the Water Purveyor. We do not promote any one company; the list is randomly generated by the system each time a CCN is entered.



Dashboard and Real-Time Reporting - Unlike other systems that only provide periodic reporting, BSI Online provides real-time data and reports for our customers. All information is available to you from your dashboard 24/7. We provide you with an exportable Excel list of your non-compliant devices. This data can be manipulated, filtered, and sorted any way you need. In addition, in our reporting tab, we have pre-populated queried reports, such as your monthly EPA report you can click and export. If you need any additional information, our program allows you the ability to create and customize an unlimited number of reports.

The screenshot shows the 'Custom Reports' section of the BSI Online dashboard. On the left is a navigation menu with options like Dashboard, Help Desk, Reports, Custom, DEP, DPH, Users, and Organization. The main area is titled 'Custom Reports' and includes a search section with filters for 'Search by property', 'Search by device', 'Due date', 'Tested date', and 'Creation date'. There are also 'Saved Reports' and 'Records to show' (set to 100) options, along with 'Save current report' and 'Export as CSV' buttons. Below the search section are two report cards. The first card is for '#HV21513-32898 Roscioli Yachting Center' and contains a table with 7 devices. The second card is for '# Resident' and contains a table with 1 device.

Serial #	Device	Install Date	Due Date	Last Tested	Tested By
2413455	2" Wilkins - 975 (RP)	02-18-2014	03-12-2020	On 03-03-2019	William Galvin
2287183	1 1/2" Wilkins - 975 (RP)	02-18-2014	03-12-2020	On 03-03-2019	William Galvin
020698	2" Watts - 800 (PVB)	02-18-2014	03-12-2020	On 02-28-2019	William Galvin
112345	8" Watts - 709DA (DCDA)	02-28-2014	03-12-2020	On 03-10-2019	Charles Breines
22379	3/4" Ames - 2000B (DC)	02-28-2014	03-12-2020	On 03-10-2019	Charles Breines
102779	8" Ames - 3000SS (DCDA)	02-28-2014	03-12-2020	On 03-10-2019	Charles Breines
27327	3/4" Watts - 007DA (DCDA)	03-26-2014	03-12-2020	On 03-10-2019	Charles Breines

Serial #	Device	Install Date	Due Date	Last Tested	Tested By
T142360	1" Wilkins - 720A (PVB)	02-19-2014	03-06-2019	On	

Program Users - BSI is designed to provide the Water Purveyor unfettered access to data and can have an unlimited number of simultaneous users, in addition to multiple users. Our program allows each user to have different roles and permissions. This way the information, notifications and permissions can be allowed or restricted based on the Water Purveyor and employee's needs.



Online Test Submittal -

To enter a test online, the backflow tester will need to obtain their customer's confirmation number (CCN) from their notification letter. This CCN keeps your information safe and secure, not allowing testing companies to "surf" for information. All reports are electronic, easy to read and are emailed to the contractor in real-time as a PDF document.

All device test report forms are customizable. We can add additional fields at the Water Purveyor's request, such as meter number or unique service ID.

Ctiy of Sample

Backflow Prevention Assembly Test and Maintenance Report

Customer Information
 Customer / Property Name: **City of Fort Lauderdale - Utilities Department**
 Contact Name:
 Property Address: **100 N Andrews Ave
 Fort Lauderdale, FL 33301**

Assembly Information
 Type: **RP** Model #: **975**
 Size: **2"** Serial#: **059688**
 Manufacturer: **Wilkins** Hazard: **Domestic**
 Location: **4250 NW 10th Ave**
 Reason for test: new existing replaced.

PASS

Assembly Test Information Test Date: 2020-04-17

Initial Test		
Check Valve #1 9.0 (X) Closed Tight/Held () Leaked	Check Valve #2 3.0 (X) Closed Tight/Held () Leaked	Relief Valve 2.4 (X) Opened () Did Not Open
Final Test		
Check Valve #1 9.0 (X) Closed Tight/Held () Leaked	Check Valve #2 3.0 (X) Closed Tight/Held () Leaked	Relief Valve 2.4 (X) Opened () Did Not Open

As the tester of record, I affirm this test as: Passed Failed Repairs Made: No

Additional comments or repairs made / materials (parts) used:
 (no comments)

Tester Information
 Tester Name: **Hodgson, Eddie**
 Tester License Expiration: **10-29-2021**
 Certification#: **16351**
 Test Kit Serial #: **07161432**
 Test Kit Date Tested for Accuracy: **06-11-2019**
 Test Kit Mfr. & Mod. #: **Mid-West 835**
 Testing Co Name: **City of Fort Lauderdale**
 Phone: **(954) 828-7514**
 Address: **949 NW 38th St
 Fort Lauderdale, FL 33309**

Custom Questions
Meter Number 200222343-306048511

The above tester certifies that all information submitted for this report is true and accurate
 The backflow prevention assembly detailed above has been tested and maintained as required by commission regulations and is certified to be operating within acceptable parameters

Page 1 of 1

Validation of Test Results - BSI will set up each form in the system to pre-populate based on state standards per device type. BSI Online automatically computes if a test fails based on the report entered by the tester, and notifies both the tester and Water Purveyor. Pass/fail standards are constructed specific to the Water Purveyor and state standards. Upon submission, a copy of the test is sent via email to the Water Purveyor and your database is updated in real-time.

Validation of Testers Licenses/Test Gauge Calibrations - During the startup process, BSI verifies with the Water Purveyor all pertinent credentials being monitored for both testers and testing companies. Part of the registration process with BSI is providing a copy of all tester licenses and annual test kit calibrations. BSI Online tracks the expiration date of these credentials, turning from green to red the closer a credential is to expiration. Once red, the tester/test kit is locked out from entering tests until an updated copy is uploaded into the BSI Online system or sent to our office for vetting. This proactive approach is integral to the integrity of your program.



Validation of New Installs & Replacements - All newly installed devices and replacements are approved by the Water Purveyor before they are entered in the database. The Water Purveyor has the option to enter them directly into the program or have our Client Services team handle the data entry. We never enter a device or location without your approval. It is your data; we just help you manage it. Please note, there is no charge to the tester for new installs per the RFP.

Archival History of Test Reports - After submission, BSI stores copies of the test on the tester side and Water Purveyor side of the BSI program. We do not purge data, therefore, the Water Purveyor will always have access to data entered for their water system.

Testers have the ability to review any test data they have submitted in the system. It is always available on their side of the program to archive, review and print.

Customer Success & Support - BSI does not simply manage data. We partner with water purveyors to help protect the drinking water for your communities. We have been working with communities for over 20 years and we are committed to exceed all expectations and provide a great customer service experience for all stakeholders.

Customer & Support Staff - We provide unlimited customer service/support for the water purveyor, testing companies, and water customers for the life of the contract.



The Water Purveyor will be assigned their own personal contacts within BSI, who will be there to answer any comments, questions, or concerns about the program, reports, notifications, or customer service.

Unlike competition, we can consult on technical backflow inquiries, since our company is founded on backflow prevention field expertise and countless years of backflow data management.

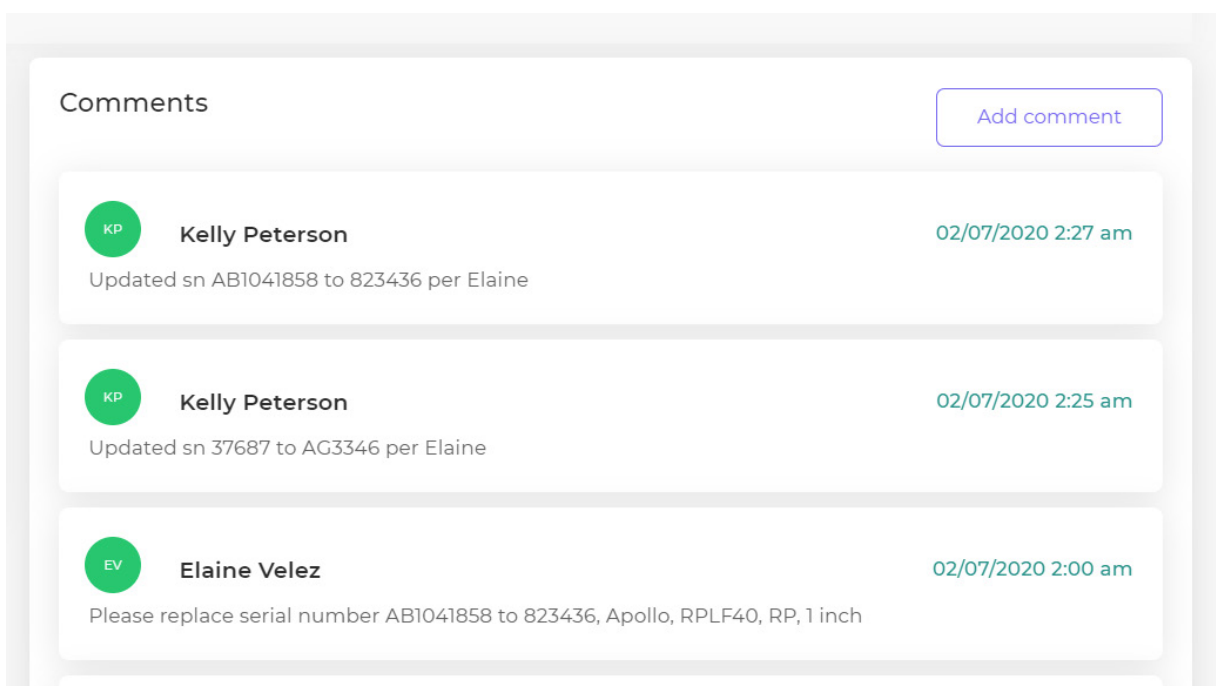
In addition to our customer support, we provide in-person meetings and training sessions with Water Purveyor staff. Our team will meet with representatives of the Water Purveyor to discuss current processes, improvement strategies and account reviews on a periodic basis. Our staff has the knowledge and expertise to consult on any aspects of your cross-connection control program.

Our support is not only for you, the Water Purveyor. We also provide full customer service and technical support to your water customers and backflow testers via a toll-free number and email address. Our well-trained staff is available to answer questions, lifting the burden off your staff. You can be assured of speaking with a live customer service representative and not an answering service or voicemail machine. We also provide an email address they can submit their questions or comments to. Our company policy is all questions, whether phone or email, will be answered within 24 hours.

Customer Service Survey - We take customer satisfaction to heart. We continuously monitor our customer service agents and ensure they are providing excellent care to your constituents. We work with the Water Purveyor to provide reports on complaints, responses, and any feedback of our service.

IT Support - Our in-house IT staff is always available to identify and resolve any issues that may arise. Since our IT staff is internal, we have continuous access to their knowledge and expertise. We can easily troubleshoot any issue within the program users are experiencing and start working on a resolution immediately.

Support Log and Metrics - Our system is built on the foundation of accountability and transparency. All transactions are time stamped with user names. Each interaction with your backflow program is fully auditable and accessible to you at any time. Whether it is an inquiry with the Water Purveyor, the testing community or a water customer, you are always able to continuously monitor your program.



System Reliability & Security - BSI believes security of your data and information is of utmost importance, which is why our servers are backed up multiple times a day and is hosted by Amazon Web Services (AWS), providing the Water Purveyor with assurance their data will always be protected but accessible. All municipal/testing company information is protected via login credentials, and water customers must use their Customer Confirmation Number (CCN) to access their reports and find a testing company. No one should be able to data mine for information.

Conclusion - As illustrated above, the BSI Online program is unmatched by any other program. Being transparent, progressive, and customer service oriented has propelled BSI Online to be the nation's premiere backflow data management firm for over 500+ communities across the United States and Canada. We offer security, support, and an environmentally conscious method to managing backflow prevention data.

