

RESOLUTION NO. 1036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON WAIVING THE REQUIREMENT FOR COMPETITIVE BIDS FOR PURCHASE OF AN ALERTON ACM GLOBAL CONTROLLER FOR THE CIVIC CENTER HVAC SYSTEM FROM ATS AUTOMATION, INC.

WHEREAS, the City of Gig Harbor is in need of replacing the existing Civic Center's heating, ventilation, and air conditioning (HVAC) global controller due to failure; and

WHEREAS, in 2015 ATS Automation upgraded the HVAC original software to a newer version, Alerton Ascent Compass for BACtalk;

WHEREAS, the current Alerton BTI global controller has failed and is obsolete and therefore needs to be replaced with Alerton's latest ACM global controller ACM (Ascent Control Module); and

WHEREAS, ATS Automation, Inc. is the sole source supplier for this product in the state of Washington; and

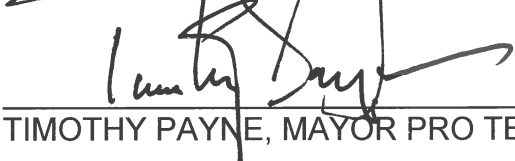
WHEREAS, the City's purchasing policy set forth in Resolution No. 593 authorizes the waiver of competitive bidding in the event the product comes from a sole supplier; Now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Waiver of Competitive Bidding. As authorized by Section 2 of Resolution No. 593, competitive bidding is hereby waived for the purchase of the Alerton ACM Global Controller Model as described on quote dated April 11, 2016, as ATS Automation, Inc. is the sole supplier of the product.

RESOLVED this 25th day of April, 2016.

CITY OF GIG HARBOR



TIMOTHY PAYNE, MAYOR PRO TEM

ATTEST/AUTHENTICATED:



CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



FILED WITH THE CITY CLERK: 04/18/16
PASSED BY THE CITY COUNCIL: 04/25/16
RESOLUTION NO. 1036



April 11, 2016

Marty West
City of Gig Harbor
3510 Grandview St
Gig Harbor, WA 98335

Subject: Alerton Global Controller Upgrade

The City of Gig Harbor Civic Center HVAC controls system is an Alerton system and was originally installed in approximately 2002. In early 2015, ATS upgraded the original software to the newest version, Alerton Ascent Compass for BACtalk. Per our recent conversation, the original global controller, called a BTI, has failed and is in need of replacement.

Alerton's newest BACtalk global controller is called an ACM (Ascent Control Module). The ACM is equipped with many new features and is compatible with your existing unitary controllers as well as your current Alerton software version. The pricing below includes materials and labor to replace the existing Alerton BTI global controller with Alerton's latest ACM global controller, re-load the existing global controller programming into the new ACM, and verify communication between the Alerton server, the Global Controller and the unitary controllers.

Alerton BTI to ACM Upgrade Price: \$7,768.00 + W.S.S.T.

Proposal Clarifications:

- Modifications to the existing Sequence of Operations are not included in this proposal.
- The existing BTI was able to allow remote connection via a modem. The ACM will not allow this means of access
- Proposal is based upon work performed during standard day- times (M – F; 7 AM – 5 PM).
- ATS Automation specifically excludes the warranty and replacement of all existing equipment (mechanical, controls, or electrical).
- ATS Automation specifically excludes troubleshooting existing Energy Management System problems as a part of this budget proposal.
- All pricing excludes sales tax and construction bonds
- All newly installed equipment is warranted against defect for a period of one year from the purchase date.
- Support Agreement customers will benefit from a discount on labor and material. Please let me know if you would like information on our Preventative Maintenance or Controls System Energy Conservation Assistance Services.
- This Proposal Will Remain Valid for 60 Days

Thank you for the opportunity to provide this information. If you have any questions, please contact me.

If a contract or purchase order will be issued for this scope of work, please reference this proposal in the contract documents OR simply sign the proposal below authorizing us to proceed. Please forward a complete set of drawings, specifications and mechanical equipment submittals to our office.

Proposal Accepted:
ATS Automation, Inc. is authorized to proceed with the work as proposed.

Proposal Submitted:
ATS Automation, Inc.

Purchaser _____
By _____
Title _____
Date _____

Seller ATS Automation

By Eric Stacy
Title Service Sales Engineer

Date April 11, 2016



Equipment Loaner Placement Agreement for Non-Contract Customers

The following is an Equipment Loaner Placement Agreement for customers who do not have an active Support Agreement with ATS Automation at the time of the obsolete Alerton product failure.

- ATS Automation and its Customers can no longer purchase this equipment; it has been discontinued by the Alerton factory.
- ATS reserves a few of these obsolete products as a means to support our Alerton System Customers. Items list below are not for sale and are sole property of ATS Automation.
- This is a written agreement for ATS to temporarily install the noted equipment in order to keep the Building / Facility operational while details for replacement solutions are approved.

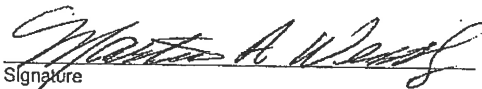
ATS Automation is loaning the following equipment:

Qty	Item Description	Loaner ID #	Placement Date
1	BT1 Controller	BT1-01	4/11/16

Conditions and Durations:

1. Within 3 days of placement, ATS will provide a proposal for replacement upgrade and Service Support Contract options to the customer for consideration.
2. Within 14 days of placement, the customer will need to make a commitment in writing to declare their intent on the replacement upgrade and Service Support Contract options.
3. At the end of 14 days from placement, if there is no Service Support Agreement or replacement upgrade commitment settled, then a rental rate of \$ 1,500.00 per month will commence retroactive to the first day of placement.
4. At the end of 30 days from placement, if there is no Service Support Agreement or replacement upgrade commitment settled, the rental amounts still apply, but ATS reserves the right to pick up our loaner equipment with a 5 day notice.
5. Once a Service Support Agreement and replacement upgrade commitment are settled, then ATS will waive subsequent rental fees provided the work is authorized to commence within 6 months of the placement date. Actual completion will depend on ATS Automation's current work load.

ATS Automation is authorized to proceed as prescribed per the conditions and cost noted above:


Signature

4/11/16
Date