

CITY OF SEGUIN

RESOLUTION NO. \_\_\_\_\_

COUNTY OF GUADALUPE

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS  
AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH SYSTEM  
CONTROLS & INSTRUMENTATION, LTD FOR THE DESIGN OF DRAWINGS AND  
EQUIPMENT SPECIFICATIONS FOR A NEW TELECOMMUNICATION AND SCADA  
UPGRADE FOR THE WATER PLANT AND ASSOCIATED FACILITIES**

**WHEREAS**, when the new water tower on SH 123 Bypass was near completion the City learned that the federal rules governing radio transmission of SCADA data had changed; and

**WHEREAS**, the City's current SCADA system uses bandwidth that must be licensed by the Federal Communications Commission (the "FCC"); and

**WHEREAS**, maintaining the old licensed system would be both cumbersome and expensive; and

**WHEREAS**, under the present circumstances, coupled with the City's continued growth, it would be in the City's best interest to upgrade the City's SCADA system by installation of an upgradable Ethernet communication system that does not need to be licensed by the FCC; and

**WHEREAS**, since the SCADA and telemetry system is critical for maintaining a stable water supply in the City it is essential that the company performing the design and upgrade of the present system can do so in a manner that does not disrupt ongoing operations; and

**WHEREAS**, the City sought a proposal from System Control and Instrumentation, LTD ("SCI") because of their in depth knowledge of the SCADA system currently used by the City and their ability to work with and around the system during an upgrade; and

**WHEREAS**, no other companies in the general area have the expertise to work with the City's current system, that is more than twelve years old, and out of compliance with current FCC regulations; and

**WHEREAS**, Texas Local Government Code Section 252.033(2) and (7) allow the City to exempt from selection by competitive process procurement that is necessary to protect the public health or safety of the City's residents and items that may be available from only one source; and

**WHEREAS**, in order to protect the health and safety of the City's residents the SCADA system must remain operational during the upgrade; and

**WHEREAS**, SCI is the only company in the area with the demonstrated ability to work with the City's current system; and

**WHEREAS**, the contract with SCI is separated into two phases: (1) design and equipment specification for the new SCADA system; and (2) purchase, installation and commissioning of the new SCADA system.

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Seguin, Texas:**

**SECTION 1.** The above recitals are adopted as a formal part of this resolution as if fully set forth herein.

**SECTION 2.** The above recitals set forth sufficient basis to declare this contract exempted from the public bidding requirement by Section 252.022 of the Texas Local Government Code.

**SECTION 3.** The City Manager, Douglas G. Faseler, is authorized to execute an agreement with System Control & Instrumentation, LTD in the amount of \$67,350.00 for Phase I, design and engineering, for the SCADA project.

**SECTION 4.** This Resolution shall be in full force and effect immediately from and after its passage.

**PASSED AND APPROVED** this 7<sup>th</sup> day of July 2015.

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**DON KEIL**  
**MAYOR**

**ATTEST:**

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**Thalia Stautzenberger**  
**City Secretary**