



## Legislation Text

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**File #:** 18-389, **Version:** 1

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### **CITY COUNCIL AGENDA ITEM**

#### **ACTION REQUESTED:**

Approve the award of the Two-Year Extension to Contract 15-187, Cross-Connection Control Testing Records Administrator, to Backflow Solutions Inc.

**DEPARTMENT:** Water Utilities

**SUBMITTED BY:** James Holzapfel, Director

#### **BOARD/COMMISSION REVIEW:**

N/A

#### **BACKGROUND:**

The United States Environmental Protection Agency (USEPA) and Illinois Environmental Protection Agency (IEPA) require the City of Naperville to maintain a record of all test results of backflow protection devices connected to the City of Naperville Public Water Supply. Per Statutes, the City of Naperville must report testing results to the IEPA, retain testing records and produce the testing records for inspection upon request. There are currently over 14,000 backflow protection devices on record in the City. Federal Law and State Statutes require the annual testing of all backflow prevention device by a certified cross connection control inspector (CCCDI).

Every year, the City of Naperville requires all customers, having a backflow protection device, submit the test results of each device by a CCCDI. Customers are responsible for procuring a qualified CCCDI to test the devices from the many qualified plumbing firms in the Naperville area providing testing services.

Prior to 2012, in-house staff performed the administrative duties to ensure the annual testing of the devices and recording of the test results. In 2012, budget constraints drove the decision to outsource the administrative functions of this regulatory required program and to reduce the staffing levels of the Water Utility connected to it.

City Council awarded the most recent program administration duties in May 2015 under Contract 15-187, Cross-Connection Control Testing Records Administrator, to Backflow Solutions, Inc.

Under the outsourced program, the program administrator, Backflow Solutions, Inc. is responsible for sending annual reminders/notifications to customers with backflow devices, accepting and recording the test results and reporting all test data to the City for submittal to the IEPA. During the past 12-months, regulatory compliance is 90.15% with 414 commercial and 981 residential non-compliant devices still requiring testing and certifications.

Some of the non-compliant devices are part of irrigation systems. And while some owners tested their devices last fall (within the prior 12-months), the devices out of compliance as the Illinois Plumbing Code requires testing of the devices prior to reinstallation and start-up or re-activation of the irrigation system.

The customer is responsible for selecting and directly paying for all costs associated with the annual testing of their backflow protection devices to the CCCDI. However, instead of submitting test results to the City, the program administrator, Backflow Solutions, Inc., receives the test results and maintains the program's compliance database.

The program administrator assesses a documentation (or processing) fee of \$12.95 per device for all test results submitted. The program administrator does not share the documentation fees with the City of Naperville, nor is the City of Naperville charged by the program administrator for the services provided. Customers with backflow protection devices are responsible for 100% of the cost of this regulatory requirement to annually test and document the test results.

Although there is no direct expense to the City with this contract. Though, it is important for City Council to be aware of the program and that Water Utility customers with these devices are responsible for all the costs associated with compliance.

**DISCUSSION:**

Backflow Solutions, Inc. has provided excellent service during the original three-year term of the agreement and has agreed to renew the contract for an additional two-year term with no price increase. The documentation fee will remain at \$12.95 per device.

Staff recommends the award of the Two-Year Extension to Contract 15-187, Cross-Connection Control Testing Records Administrator, to Backflow Solutions Inc. for two years from July 1, 2018 through June 30, 2020.

**FISCAL IMPACT:**

CIP: # N/A

The cross-connection backflow administrator is paid directly from customers. This agreement only provides compliance with IEPA regulations and will require no expense to the City.