

MARGIE R. IBARRA
COUNTY CLERK
FILED
2021 AUG 18 PM 3:51
WEBB COUNTY, TEXAS

AMENDMENT NO. 1
WEBB COUNTY, TEXAS / BADGER METER, INC.'S
SOFTWARE LICENSE AGREEMENT

STATE OF TEXAS *

KNOW ALL MEN BY THESE PRESENTS: *REN* DEPUTY

COUNTY OF WEBB *

WHEREAS the on the 28th day of January, 2019, the Court had previously approved and awarded an automated water meter infrastructure project and software licensing agreement pursuant Request for Proposal (RFP 2018-008), entitled “Advanced Metering Analytics Software for Water Utilities”, to Badger Meter Inc., in accordance with Badger Meter Inc.’s responsive proposal/bid thereto.

WHEREAS, an additional four (4) water meters with cellular registers are needed from Badger Meter, Inc., by Webb County on behalf of the Webb County Utilities Dept. in order to finalize and complete this project.

WHEREAS the on the 26th day of July, 2021, the Court approved Amendment No. 1 to the water meter infrastructure project and software licensing agreement, and approved the purchase of the four (4) additional water meters with cellular registers as per Badger Meter, Inc.’s proposal No. 3264305, in the total amount of \$12,328.97, attached hereto as Exhibit “A”.

WHEREAS the Utilities Dept. needs an additional \$4,147.03 in funds in order to purchase four (4) additional water meters with cellular registers, in the total amount of \$12,328.97.

WHEREAS Amendment No. 1 to the original agreement shall provide the Webb County Utilities Dept. with the additional \$4,147.03, in funding needed to complete the purchase of the four (4) water meters with cellular registers in a total amount of \$12,328.97, as per Badger Meter, Inc.’s proposal No. 3264305.

NOW, THEREFORE, IT IS MUTUALLY AGREED TO by, and between Webb County and Badger Meter, Inc., for Webb County to enter into Amendment No. 1 to the original agreement in order to purchase four (4) water meters with cellular registers from Badger Meter, Inc., in amount of \$12,328.97, (as per Badger Meter, Inc.’s proposal No. 3264305), approved on July 26, 2021.

All other terms and conditions contained in the original software license and maintenance agreement shall remain in full force and effect until the completion of the project.

1. Payment & Compensation/Requests for Payment/Purchase Order Requests

Webb County shall pay “Badger Meter”, the total sum of TWELVE THOUSAND THREE HUNDRED TWENTY EIGHT DOLLARS AND 28/100 CENTS (\$12,328.28) for the additional water meter registers, as per Badger Meter Inc.’s Proposal No. 3264305, attached hereto as Exhibit “A”.


The County Auditor will only authorize payment for the goods/services described on an Official Webb County Purchase Order unless otherwise permitted by law or the Webb County Purchasing Policy.

EXECUTED in duplicate originals this ____ day of AUGUST, 2021.

WEBB COUNTY, TEXAS



TANO E. TIJERINA
WEBB COUNTY JUDGE
ATTEST:



Margie Ramirez Ibarra
Webb County Clerk

APPROVED AS TO FORM:



Ray Rodriguez, Asst. General Counsel
Webb County Civil Legal Division

*By law, the Webb County Civil Legal Division office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval of their own respective attorney(s).

BADGER METER, INC.



CHARLA D. DURY, Asst. Secretary
Proposal Lead/Bid & Contract Administration

Presented for Approval at the Webb County
Commissioner's Court meeting held on the 26th
day of July, 2021, Item No. 35.



4545 W Brown Deer Road Milwaukee WI 53223
PO Box 245036 Milwaukee WI 53224-9536
Phone: 800-876-3837 Fax: 888-371-5982

Created Date 07-20-2021

To
WEBB COUNTY UTILITIES
1110 WASHINGTON ST
LAREDO
Texas 78040

Customer ID 00023431

Effective Dates 07-20-2021 - 01-20-2022

Salesperson	Proposal Subject	Shipping Terms / INCO Terms	Payment Terms
008149	Proposal_3264305_07-20-2021	PREPAY/ADD TO INVOICE FCA FACTORY	NET 30 DAYS

Line #	Description	Qty	Unit Net Price USD	Line Totals USD
1	BMI Part No.: 101-8292 Cat String: DS-NDB-PFAS-XXD3-Y2-E1AB-2B1X1-9BE-NN-AG-TF-AA-B0A Description: Disc, M120 1-1/2"-ELL Dr w/TP, 430SS, SS, SN Yr 9D & PBB, HR-E LCD, ORION LTE-M, PL Lid/Shrd-GRY, Trx Scrw, Sidewalk read, 9D-0.1 Gal, SN YR 9D in & out, Thru Ld Instl Kit, TT-5', Grnd/Ocean-Pau	2	534.00	1,067.99
2	BMI Part No.: 104-8803 Cat String: CS-CHA-P-T4XX-X-C1-Y2-E1CA-2B1X1-9C-9A-E-NN-XX-TF-XX-B0A Description: CSM, 6" Rnd w/TP, 316SS-4, SN Yr 9D and PBB, HR-E LCD, 4CXN2 ORION, PL Lid/Shrd-GRY, Trx Scrw, Sidewalk read, 9D-1 Gal, 9D-0.01 Gal, SN YR 9D in and out, TT-5', BMI STD,	1	4,553.74	4,553.74
3	BMI Part No.: 104-8807 Cat String: CB-CJB-P-Z2XX-X-C3-YO-E1CA-2B1X1-9C-9B-E-NN-XX-TF-XX-B0A Description: Combo, 8" Rnd M120 Std Rt BP-1 LV, Zinc Pltd-2, YO - YR MFG 9D, PBB HR-E LCD, 4CXN2 ORION, PL Lid/Shrd-GRY, Trx Scrw, Sidewalk read, 9D-1 Gal, 9D-0.1 Gal, SN YR 9D in and out, TT-5', BMI STD,	1	6,707.24	6,707.24

Subtotal - USD	12,328.97
Total Price - USD	12,328.97

Notes and Assumptions

If applicable, sales tax and freight, if included on the proposal, is an estimate and will be recalculated based on rates and tax status in effect at the time of invoicing.

Actual lead time to be provided at time of order.

Thank you for your business!

This quotation is an offer made subject to the terms & conditions found on our website: www.badgermeter.com/Company/Legal/Sales-Terms.aspx
Quoted prices are firm for acceptance, via an order, within the effective dates provided, shipping within 60 calendar days past the expiration of this quotation.



To aid in processing your order, please include the Quote number on the PO that is submitted for this proposal. Badger Meter provides certification files to help manage meter and endpoint inventory and to maintain meter accuracy data. The standard method of delivery for this format is via electronic mail. Any deviations from our standard format, or any custom file formats, will be considered on a time and material basis.

Due to continuous improvements and redesign of Badger Meter products and technology solutions, Badger Meter reserves the right to provide our newest product solutions as an alternative to the proposed products provided they are in conformance with the requirements of the specifications and do not exceed the prices quoted.

If you would like to place an order, please contact us at Utilityorders2@badgermeter.com or by calling 1-800-876-3837.

Thank you for your business!

This quotation is an offer made subject to the terms & conditions found on our website: www.badgermeter.com/Company/Legal/Sales-Terms.aspx
Quoted prices are firm for acceptance, via an order, within the effective dates provided, shipping within 60 calendar days past the expiration of this quotation.