

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON TRANSPORTATION AND
PUBLIC UTILITIES

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, December 5, 2018
3:20 p.m.

PRESENT:

COUNCILMAN KENYATTA JOHNSON, CHAIR
COUNCILMAN ALLAN DOMB
COUNCILWOMAN CHERELLE L. PARKER
COUNCILMAN MARK SQUILLA
COUNCILMAN AL TAUBENBERGER

BILLS 180972 and 181007

- - -

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2 COUNCILMAN JOHNSON: Good
3 afternoon. This hearing is called to
4 order. This is the public hearing of the
5 City Council Committee on Transportation
6 and Public Utilities. The purpose of
7 this public hearing is to hear testimony
8 on Bills No. 180972 and 181007.

9 I recognize the presence of a
10 quorum of the Committee with members
11 Councilman Allan Domb, Councilman Mark
12 Squilla, and Councilman Al Taubenberger.

13 Will the Clerk please read the
14 title of the bill, of our first bill.

15 THE CLERK: An ordinance
16 amending Bill No. 100163-AA, entitled "An
17 ordinance authorizing the City of
18 Philadelphia to organize an authority to
19 be known as The Philadelphia Energy
20 Authority, pursuant to the terms of the
21 'Municipalities Authorities Act' of 2001,
22 June 19, P.L. 287, No. 22, as amended,
23 under certain terms and conditions," to
24 expand the responsibility and powers of
25 the Authority and authorizing an

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2 amendment to its Articles of
3 Incorporation, all under certain terms
4 and conditions.

5 COUNCILMAN JOHNSON: Thank you.
6 Will the Clerk please read the names and
7 call the first panelists, please.

8 THE CLERK: Emily Schapira,
9 Christopher Lewis, Christine Knapp.

10 (Witnesses approached witness
11 table.)

12 MR. LEWIS: Good morning,
13 Mr. Chairman.

14 COUNCILMAN JOHNSON: Good
15 morning. How you doing today, Chris?

16 Can you please state your name
17 and title for the record and begin your
18 testimony.

19 MR. LEWIS: Thank you,
20 Mr. Chairman, members of the Committee.
21 My name is Christopher Lewis. I'm the
22 Chairman of the Philadelphia Energy
23 Authority.

24 I know that this Committee has
25 been waiting some time to begin today, so

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2 my testimony will be brief.

3 I'm here on behalf of the
4 Energy Authority to testify in support of
5 Ordinance 181007, and as the Committee
6 knows, although the Energy Authority has
7 a very small staff, our staff, led by
8 Executive Director Emily Schapira,
9 consistently punches above its weight.
10 Recently we received on behalf of the
11 City a \$1.25 million grant from the
12 Department of Energy for workforce
13 development and training, and I'm sure
14 the members of the Committee and Council
15 are familiar with the water and sewer
16 line protection program which we helped
17 create with the assistance of the City's
18 Water Department.

19 Let me state two things about
20 the ordinance that is before you, what it
21 does and what it does not do.

22 What it does is clarify the
23 Authority's powers to make clear that the
24 Authority has the power to finance
25 projects and issue bonds. We thought

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2 that power was clear from the prior
3 language, but when we recently did a
4 project for the Art Museum, counsel
5 advised us that it would be appropriate
6 and wise to have an explicit statement of
7 that authority. That's what it does.

8 What it does not do is give us
9 any power to levy taxes, to create
10 assessments or levies of any kind. So we
11 urge you to pass this bill.

12 COUNCILMAN JOHNSON: Thank you
13 very much.

14 Ms. Schapira.

15 MS. SCHAPIRA: Thank you. Good
16 afternoon, Chairman Johnson and members
17 of the Committee. My name is Emily
18 Schapira. I'm the Executive Director of
19 the Philadelphia Energy Authority. I
20 think Christine Knapp will not be joining
21 us today. Unfortunately, she couldn't
22 make it.

23 I wanted to say I'm grateful to
24 Council President Clarke and Councilman
25 Green for putting Bill 181007 before you

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2 today, which amends our Ordinance
3 100163-AA, our original founding
4 ordinance of the Philadelphia Energy
5 Authority. It clarifies the
6 responsibilities and powers of the
7 Authority, as our Chair Chris Lewis
8 mentioned.

9 PEA was chartered under the
10 Pennsylvania Municipalities Authorities
11 Act, and while that Act grants many
12 powers to municipal authorities, the
13 previous language of our founding
14 ordinance left some ambiguities as to the
15 interpretation of which of those powers
16 PEA may exercise. This amendment became
17 necessary when we were working on
18 financing for the roughly \$12 million
19 energy efficiency project at the
20 Philadelphia Museum of Art. We received
21 word from bond counsel that the language
22 in our founding ordinance did not
23 expressly allow for issuance of bonds.

24 We have had some different
25 legal opinions, so the new language you

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2 see before you is designed to remove any
3 ambiguity and clearly authorize PEA to
4 issue bonds and clearly allows access to
5 powers granted in the PA Municipalities
6 Authorities Act which are needed to carry
7 out our purpose and responsibilities.

8 This new language has been
9 reviewed by that same bond counsel as
10 well as the City Law Department and our
11 own attorney.

12 You might also notice that
13 we've added language about energy
14 storage, which reflects a change in
15 technology from when our original
16 ordinance was written, and also clarifies
17 our purpose related to energy market
18 development and job creation, which was
19 written broadly before and encouraged
20 some differing legal opinions there as
21 well.

22 In closing, we are grateful for
23 Council's attention to resolving these
24 ambiguities and look forward to
25 continuing to provide real value to the

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2 City. I'm happy to provide any
3 additional details that the Committee
4 needs.

5 Thank you for your time.

6 COUNCILMAN JOHNSON: Thank you
7 both very much for your testimony. And I
8 want to also take a moment and
9 acknowledge the great work of our
10 Chairman, Mr. Chris Lewis. It's always a
11 pleasure to see you, sir.

12 Councilman Allan Domb.

13 COUNCILMAN DOMB: Thank you,
14 Mr. Chairman.

15 Good afternoon. I'll be brief.
16 I'm just going to take this opportunity
17 to ask you a question. Maybe you can get
18 back to me with the answer. And, that
19 is, you're the Executive Director of the
20 Philadelphia Energy Authority. I brought
21 this up, I think, last week about the Art
22 Museum. There was a study done maybe two
23 years ago by an engineering firm that
24 said it would cost us about 20 million or
25 so to convert the Art Museum from the

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2 current energy to PGW, and the savings I
3 think I recall being about \$2 million a
4 year, which I thought was a pretty good
5 investment on the City's part. It's a 10
6 percent return. And I keep repeating
7 this because I want to make sure we
8 follow the methodology. We own PGW, and
9 so when we add \$2 million to the revenue
10 of that PGW, it's worth \$40 million in
11 value, if we ever were to value it. So
12 it's a big, big plus.

13 So I just wanted to see if you
14 have a commitment to work on converting
15 that and also looking at other properties
16 that we own as a city that aren't using
17 PGW where we could see that cost-benefit
18 analysis to see if it makes sense.

19 MS. SCHAPIRA: Absolutely. We
20 did review that proposal for the Art
21 Museum, and it was determined to not be
22 feasible, unfortunately. I know they
23 redid it twice, but there's some issues
24 with connections and with the smoke stack
25 that would need to be affiliated with it.

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2 So we actually have looked at a couple of
3 other great projects that would be a much
4 better fit and are working with PGW now
5 to put some plans in place for those.

6 COUNCILMAN DOMB: Okay. But
7 keep in mind one thing, because I come
8 from this background, when they first
9 tell you no, there's also another way to
10 go around and figure out how to make it
11 happen. So I always say no is an
12 objection to get to yes.

13 Anyway, thank you for your
14 testimony.

15 Thank you, Mr. Chairman.

16 COUNCILMAN JOHNSON: Thank you,
17 Councilman.

18 Is there anyone else here to
19 testify on this particular bill?

20 (No response.)

21 COUNCILMAN JOHNSON: I want to
22 thank the two of you for your testimony.

23 Seeing none, this concludes the
24 public hearing for this bill.

25 Will the Clerk please read the

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2 title of our next bill.

3 THE CLERK: An ordinance
4 authorizing the Water Commissioner, the
5 Revenue Commissioner, and the Procurement
6 Commissioner, on behalf of the City of
7 Philadelphia, to enter into an
8 Intergovernmental Agreement with the
9 Philadelphia Municipal Authority,
10 pursuant to which the City will assume
11 certain obligations under a contract the
12 Authority will enter into with Sensus USA
13 Incorporated to provide, install,
14 maintain and operate facilities and
15 equipment for the automated collection
16 and delivery of water usage data to the
17 Revenue Department or other designated
18 City department, all under certain terms
19 and conditions.

20 COUNCILMAN JOHNSON: Will the
21 Clerk please call the first witness.

22 THE CLERK: Debra McCarty.
23 (Witnesses approached witness
24 table.)

25 COUNCILMAN JOHNSON: Can all

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2 three of you please state your name and
3 title for the record and please begin
4 your testimony.

5 COMMISSIONER McCARTY: Debra
6 McCarty, Water Commissioner.

7 MR. DAVIS: Hi. I'm Barry
8 Davis. I'm with the City's Law
9 Department.

10 MR. JUNOD: Steve Junod,
11 Philadelphia Water Department, Operations
12 Administration Manager.

13 COUNCILMAN JOHNSON: Please
14 proceed.

15 COMMISSIONER McCARTY: Thank
16 you, and good afternoon, Chairman Johnson
17 and members of the Committee on
18 Transportation and Public Utilities. I
19 am Debra McCarty, the Commissioner of the
20 Philadelphia Water Department. I'm here
21 today to testify regarding Bill No.
22 180972, entitled "An ordinance
23 authorizing the Water Commissioner, the
24 Revenue Commissioner, and the Procurement
25 Commissioner, on behalf of the City of

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2 Philadelphia, to enter into an
3 Intergovernmental Agreement with the
4 Philadelphia Municipal Authority,
5 pursuant to which the City will assume
6 certain obligations under a contract the
7 Authority will enter into with Sensus USA
8 Incorporated to provide, install,
9 maintain and operate facilities and
10 equipment for the automated collection
11 and delivery of water usage data to the
12 Revenue Department or other designated
13 City department, all under certain terms
14 and conditions.

15 I'd like to begin by
16 highlighting some of the key benefits
17 that will be delivered to our customers
18 and to the City through the adoption of
19 the Advanced Metering Infrastructure
20 technology, or AMI, discussed in this
21 bill.

22 As you know, many of our city's
23 residents face significant daily
24 challenges in keeping up with their
25 living expenses, such as medications,

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2 groceries, and utilities, like their
3 water bills.

4 One of the key features of AMI
5 is that its technology will empower
6 customers with information about their
7 water usage, including the ability to be
8 alerted to potential leaks at their
9 properties. This means that customers
10 will be able to take action before they
11 end up accruing high water bills.

12 AMI will also give customers
13 the ability to view detailed information
14 that can help them better understand
15 their consumption habits, giving them the
16 control to manage their usage, and save
17 money on a regular basis.

18 In addition, by providing us
19 with realtime alerts for system issues
20 like meter malfunctions, AMI will allow
21 the Water Department to operate more
22 efficiently to better serve our
23 customers. With detailed data from the
24 AMI system, we can do more to get out in
25 front of such problems before they become

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2 headaches for our ratepayers and City
3 residents.

4 Even before customers start to
5 see the improvement brought on by this
6 updated technology, AMI will benefit
7 Philadelphia residents in another vital
8 way. This project will create a unique
9 opportunity for approximately 60
10 Philadelphians to engage in gainful
11 employment through work as AMI
12 installation technicians, installing AMI
13 components on existing water meters in
14 homes throughout the City.

15 They will receive a wage of
16 more than \$21 per hour, and with their
17 included benefits package, their total
18 compensation will be more than \$38 per
19 hour. This is the kind of pay that can
20 make an important difference in managing
21 the costs of living for themselves and
22 their families.

23 We have also partnered with
24 Philly Works, who will provide support
25 for recruitment and training, as well as

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2 stipends for a boot camp and ongoing
3 support for our AMI installation
4 technicians to help them succeed.

5 Beyond that, once AMI
6 installations are complete, AMI
7 technicians may have the opportunity to
8 engage in a long-term career path through
9 entry into either the local electricians
10 or local plumbers union. In addition,
11 PWD will also offer opportunities for
12 employment as a PWD water operations
13 repair helper, a job with a starting
14 salary of \$35,000, plus benefits.

15 So the work AMI installation
16 technicians do will net them not only
17 valuable professional skills and hands-on
18 experience, but direct access to stable
19 employment, with notable advancement
20 opportunities.

21 The prime vendor on this
22 contract, Sensus USA Incorporated, was
23 chosen through an extensive RFP process,
24 evaluation and negotiation process as
25 well, with a selection committee of

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2 diverse subject matter experts that
3 included Procurement, Water Department,
4 Water Revenue, Office of Economic
5 Opportunity, OIT, and the Law Department.
6 This group found Sensus USA Incorporated
7 to be the best qualified based on its
8 ability to deliver industry-leading
9 technology and technical support and its
10 deep experience in demonstrated success
11 in the local deployment, having already
12 provided their metering technology for
13 PECO.

14 Finally, I'd like to note that
15 this contract exceeds its OEO
16 participation goals, utilizing firms,
17 including a Philadelphia-based firm, that
18 will provide services which are critical
19 to this project. These services include
20 network installation, meter interface
21 installation, workforce training, and
22 project-related customer outreach.

23 I offer two amendments that we
24 kindly ask to be reviewed and accepted by
25 the Committee. These are the revised

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2 versions of Exhibit B, the project
3 contract, and Exhibit C, the project
4 Economic Opportunity Plan. Both of these
5 items have been updated to reflect the
6 current participation percentages of
7 WBE/MBE contractors on this project.

8 As I hope I've been able to
9 underscore, the implementation of AMI
10 will deliver many important and lasting
11 impacts for PWD customers and
12 Philadelphia residents and families. AMI
13 will allow PWD to continue to improve
14 upon our service to the City, protecting
15 public health, enhancing customer
16 experience, and offering tools to help
17 Philadelphians take greater control of
18 their quality of life.

19 To that end, I respectfully
20 request that this bill be reported
21 favorably out of this Committee and that
22 the rules of Council be suspended to
23 allow for the first reading of this bill
24 at the next session of City Council.

25 This concludes my testimony on

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2 Bill No. 180972. I thank you very much
3 for the opportunity to appear before you
4 this late afternoon, and I'm happy to
5 answer any questions you may have.

6 COUNCILMAN JOHNSON: Thank you
7 very much, Commissioner, and as always,
8 it's good to see you doing the work on
9 behalf of the City of Philadelphia,
10 rather it's out in and about in the
11 community on the ground addressing issues
12 or in the halls of City Hall. And so I
13 just always want to acknowledge your hard
14 work and your dedication.

15 Just a couple questions. One,
16 what's going to be the strategy to
17 recruit people from diversified
18 backgrounds to do the work on the labor
19 component? Like I know there's the
20 building trades part to this. So what's
21 the City's strategy to make sure people
22 of color get a chance to participate in
23 this great project, capital project,
24 that's going to be taking place? That's
25 the first one.

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2 And then the second component
3 is, constituents have called in the past
4 because the meter didn't properly record
5 water usage, right, and they may say,
6 well, I didn't know, and they get a bill
7 saying, you know, your water bill is XYZ
8 amount of dollars. Do y'all have like a
9 forgiveness program that will allow, if
10 the meter wasn't reading properly, a
11 certain amount to be forgiven and then
12 the customer has to pay a certain amount?
13 How does this also improve upon that type
14 of situation? Those are my two
15 questions.

16 COMMISSIONER McCARTY: So for
17 the employment, we're relying on Philly
18 Works, which has -- they have a proven
19 track record, and they actually were here
20 earlier, but had a Board meeting, so I
21 don't believe anyone is here from them
22 any longer. So they would have been
23 here. But I think they have a good track
24 record and they're committed, and we met
25 with them making sure it's local

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2 participation and Philadelphians and, of
3 course, folks from underserved
4 communities.

5 COUNCILMAN JOHNSON: And the
6 second one regarding the meter reading.

7 COMMISSIONER McCARTY: Yes. So
8 the beauty of this technology is, people
9 can opt in to be notified when there are
10 changes in their consumption, whether
11 that's a change where the meter goes to
12 zero and that's not typical or whether
13 there's an increase. So either way, our
14 customers will be able to opt in to get
15 those notices and alerts and avoid those
16 bills, because right now, once a month we
17 take a reading and then you may not find
18 out for another week or so and it's been
19 going on for quite some time. So more
20 realtime notification as well as if
21 you've got questions, you can log in to
22 the customer interface to see what's
23 going on whenever you want. You wouldn't
24 have to wait for an alert.

25 So we see some big improvements

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2 for customer service with moving to the
3 AMI technology.

4 COUNCILMAN JOHNSON: Thank you.
5 Councilman Domb.

6 COUNCILMAN DOMB: Thank you,
7 Mr. Chairman.

8 Good afternoon. I'll be brief.
9 First of all, I think it's great we're
10 moving forward with Advanced Metering,
11 and the detection is going to be great.
12 I just had a couple questions. Will this
13 be the type of information that our
14 residents can view on their phones?

15 COMMISSIONER McCARTY: If they
16 can get online, yes.

17 COUNCILMAN DOMB: So you can go
18 online and see it on your phone and you
19 can manage it?

20 COMMISSIONER McCARTY: Yeah.

21 COUNCILMAN DOMB: That's great.
22 And other cities are using this
23 technology across the United States?

24 COMMISSIONER McCARTY: Yes, and
25 Sensus has been -- they have many large

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2 installations such as this.

3 COUNCILMAN DOMB: And the other
4 cities -- I know there were two bidders
5 towards the end. I think one was called
6 Aclara and one was called, I guess,
7 Sensus.

8 COMMISSIONER McCARTY: Correct.

9 COUNCILMAN DOMB: Which one
10 seems to be more in the majority of most
11 other cities?

12 COMMISSIONER McCARTY: I don't
13 know that off the top of my head, but
14 what I know is that Sensus was the lowest
15 price, their performance -- it's a
16 performance contract, but they have
17 better experience and their technology
18 exceeded the other vendors.

19 COUNCILMAN DOMB: Okay. We
20 have this letter from Aclara. I think
21 you probably saw it. I just had a few
22 questions on this letter. They're making
23 some statements, Aclara. I wanted to
24 make clear for the record just to make
25 sure. From the President of Aclara,

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2 they're stating, Our understanding is
3 that Aclara was the only shortlisted
4 vendor that submitted a response that was
5 in full compliance with the technical,
6 commercial and, specifically, the
7 minority requirements and local labor
8 content in the RFP.

9 COMMISSIONER McCARTY: That's
10 not accurate.

11 COUNCILMAN DOMB: Okay. Good.

12 And then another claim I just
13 want to put on the record, It is our
14 understanding that the prime
15 subcontractor identified in Aclara's RFP
16 response has been requested to partner
17 with the previously selected vendor so
18 that the vendor would comply with the
19 minority and local labor requirements and
20 intentions.

21 COMMISSIONER McCARTY: So
22 Sensus complies and their original
23 proposal complied with OEO requirements.
24 So if that's who they're talking about by
25 the previous vendor.

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2 COUNCILMAN DOMB: It sounded to
3 me like Aclara was making -- was
4 concerned that -- there were people who
5 applied for the RFP. They had like
6 checked off all the boxes, I guess, so to
7 speak, and other people who applied did
8 not check all the boxes. We gave the
9 other people more time for them to check
10 off the boxes, and Aclara is claiming
11 that's not appropriate. Is that what's
12 going on?

13 COMMISSIONER McCARTY: Well,
14 what I can tell you is our request for
15 proposal, there were four submittals. So
16 four vendors submitted. It was narrowed
17 down to two, Aclara and Sensus. And the
18 RFP process allows some back and forth,
19 some clarification on specifics and what
20 the submittals have been, but it is not
21 accurate that Sensus did not comply with
22 all the checked boxes. They complied
23 with everything.

24 COUNCILMAN DOMB: I just wanted
25 to put it out there and get it clarified.

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2 So thank you very much.

3 MR. DAVIS: Just to give you
4 a -- excuse me. It's Barry Davis with
5 the Law Department.

6 COUNCILMAN JOHNSON: That's the
7 Law Department responding.

8 MR. DAVIS: Good afternoon.

9 There was a goal for this
10 project, which was a 25 percent minimum
11 for minority-owned business and a 5
12 percent minimum for women-owned
13 businesses, and both Aclara and Sensus
14 met that standard.

15 COUNCILMAN DOMB: Okay. I
16 wanted to just put it out there because I
17 want to make sure that -- we're going to
18 be asked to be taking a vote, and I want
19 to make sure we all have the facts.

20 MR. DAVIS: The Office of
21 Economic Opportunity received all the
22 information from all four vendors, and
23 they actually made the decisions about
24 whether the vendors had met the goals
25 that had been requested by the City. So

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2 the Water Department would not have been
3 part of that decision-making.

4 COUNCILMAN DOMB: One other
5 question that just came to mind. The
6 credit rating of the finalists and their
7 ability to perform, did you take that
8 into account when you were selecting?

9 MR. DAVIS: Yes, we did take
10 that into account.

11 COUNCILMAN DOMB: Thank you
12 very much for your testimony.

13 Thank you, Mr. Chairman.

14 COUNCILMAN JOHNSON: Thank you,
15 Councilman Domb.

16 Councilwoman Cherelle Parker.

17 COUNCILWOMAN PARKER: Thank
18 you, Mr. Chairman.

19 And good evening. I forgot
20 what time it is. When you're in this
21 place, time passes by. We've been in
22 here all day, right, Councilman Squilla?

23 But I want to just say good
24 afternoon to each of you and say a
25 special thank you to you, Commissioner

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2 McCarty. You have done an awesome job in
3 your work, and this is a long time coming
4 that we've been talking about being able
5 to offer this program to the residents of
6 the City of Philadelphia. So we want to
7 thank you for helping us to see it
8 through.

9 COMMISSIONER McCARTY: Thank
10 you.

11 COUNCILWOMAN PARKER: But I
12 want to turn to your testimony on the
13 second page. You note that you are
14 offering two amendments and you ask that
15 they be accepted by the Committee, and
16 one of them is the project EOP, and I
17 just want to make sure and want to get on
18 the record, because obviously minority
19 and women business owner participation
20 and the ability to do business with the
21 City Council of Philadelphia has been --
22 with the City of Philadelphia has been a
23 priority for the City Council of
24 Philadelphia. I mean, from one side of
25 the chamber to the other, everyone has

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2 made sure that this issue has been a
3 priority.

4 And I just want to note for the
5 record, am I accurate in my reading in
6 that what you have noted here is that
7 between the installation of network and
8 electronics, along with project
9 management and integration, we are able
10 to see between MBE and WBE participation
11 30 to 40 percent? Is that accurate?

12 COMMISSIONER McCARTY: Yes,
13 that's accurate.

14 COUNCILWOMAN PARKER: So I just
15 wanted us to note that. We see this in
16 the amendment for the benefit of the
17 public, but relative to this opportunity,
18 this is a 30 to 40 percent opportunity
19 for minority and women-owned businesses
20 in the City of Philadelphia, and so we
21 want to thank you for that.

22 The next question is -- and,
23 again, I want to make sure my math is
24 accurate. The technicians, the
25 technicians, the technicians, right?

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2 Those are the people we are really
3 concerned about, and I just want to again
4 make sure that I understand this. There
5 will be a 45 percent recruitment effort
6 where you note that your goals, 22
7 percent African American, 3 percent
8 Asian, 15 percent Hispanic, and 5 percent
9 female, that's 45 percent, and I want to
10 make sure that there were no typos. I
11 don't want to come back and somebody tell
12 me that we couldn't meet those goals or,
13 oh, we -- you know, something. So tell
14 us about this.

15 COMMISSIONER McCARTY: Well, so
16 that's for the 60 employees, right?

17 COUNCILWOMAN PARKER: Right.
18 And you know here that the contractor and
19 its participants agree like in the best
20 faith.

21 COMMISSIONER McCARTY: Right.

22 COUNCILWOMAN PARKER: And I
23 just want to make sure that what you've
24 added here is accurate.

25 COMMISSIONER McCARTY: Yes.

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2 That's definitely accurate.

3 COUNCILWOMAN PARKER: In
4 addition --

5 MR. DAVIS: Excuse me,
6 Councilwoman. I just want to be clear.
7 This was the EOP that was approved for
8 the project by the Office of Economic
9 Opportunity back when the RFP was
10 originally issued. So that EOP has not
11 changed. It was an oversight that it
12 wasn't included with the exhibits that
13 were provided with the bill when it was
14 introduced, but that has been in place
15 throughout the whole RFP process, and it
16 was very much integral to the selection
17 and the oversight, and all of the vendors
18 that responded to this RFP understood
19 that requirement and were very much
20 addressing it in each of the proposals.
21 So we did have very good response from
22 all vendors that were a part of this
23 process, and we ultimately selected the
24 vendor we felt was the best.

25 COUNCILWOMAN PARKER: Listen,

1 12/5/18 - TRANSPORTATION - BILL 180972, ETC.

2 for the record, I want to say thank you
3 for your clarification, because what
4 you've just done is something that my
5 colleagues and I get beat up about. You
6 put on the record that this EOP was a
7 part of the process from the beginning.
8 So you used these numbers, this data, as
9 a driving force that you included when
10 making a decision about who we thought
11 was best suited for this opportunity and
12 not what we get beat up for often, is
13 that, yeah, City of Philadelphia, you
14 only are concerned about it on the back
15 end and that's after we've stood up and
16 whooped and hollered about it.

17 MR. DAVIS: Councilwoman, I
18 think that it's well understood,
19 particularly in the Law Department, that
20 there should not be an RFP that's issued
21 that requires an EOP, one that would come
22 before Council or would for other reasons
23 require an EOP, that isn't part of that
24 RFP process, because we really want all
25 of our vendors to know what our

1 12/5/18 - TRANSPORTATION - BILL 180972, ETC.

2 requirements are, what our expectations
3 are in advance of them submitting those
4 proposals. We don't want to have to go
5 back to them and say, you didn't do this,
6 you didn't make a commitment that's
7 sufficient for us to approve you as a
8 vendor.

9 COUNCILWOMAN PARKER: Thank
10 you.

11 MR. DAVIS: So thank you.

12 COUNCILWOMAN PARKER: Thank you
13 all for your responses, and I do want to
14 say for the record to my colleague
15 Councilman Johnson, Councilman Johnson,
16 we all can't make sure that we're always
17 1,001 percent prepared for everything,
18 and as the Chairman of this Committee, we
19 rely heavily on your leadership, on your
20 research, and your due diligence, and I
21 want to say thank you so very much for
22 making sure that all of the T's were
23 crossed and the I's were dotted. Okay?
24 Thank you so very much, Mr. Chairman.

25 COUNCILMAN JOHNSON: Thank you.

1 12/5/18 - TRANSPORTATION - BILL 180972, ETC.

2 Councilman Mark Squilla.

3 COUNCILMAN SQUILLA: Thank you,
4 Mr. Chairman.

5 Just one quick question too,
6 and I think you said this already, but
7 just for the record, you say that they
8 were the lowest bid, but this RFP was
9 really done on Best Value, correct?

10 MR. DAVIS: So this was an RFP
11 where the selection criteria were in
12 addition to price. So price was one of
13 the criteria, but there were other
14 criteria as well, particularly related to
15 the technology and also related to the
16 Economic Opportunity Plan that was
17 approved for the project. But as the
18 Commissioner has pointed out, we believe
19 that based on the evaluation that was
20 done, we felt that in all categories,
21 price, technology, and the experience in
22 doing an installation particularly in
23 Philadelphia given that they had done the
24 PECO installation, and not just PECO,
25 they did the PECO installation of the

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2 meters, the electric meters that are in
3 the basements of people's homes, and
4 these were the installations that PECO
5 had deemed to be the hardest to install.
6 And so they were successful in getting
7 into all of those homes. I believe there
8 were about 30,000 homes that were part of
9 that hard-to-install contract, and those
10 are the challenging properties in an
11 installation like this one, and we felt
12 that this vendor really showed that they
13 had the ability to do this contract.

14 COUNCILMAN SQUILLA: And I
15 do --

16 COMMISSIONER McCARTY: But they
17 are the lowest price.

18 COUNCILMAN SQUILLA: They are
19 the lowest price, yes, and that was part
20 of it. Because we got burned sometimes
21 in the past because it was the lowest bid
22 and people end up getting it but weren't
23 able to perform the work. This actually
24 has both, the lowest price and what we
25 believe -- or what you believe was the

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2 best value.

3 COMMISSIONER McCARTY: Yes.

4 COUNCILMAN SQUILLA: Thank you.

5 COUNCILMAN JOHNSON: Thank you,
6 Councilman.

7 Councilman Al Taubenberger.

8 COUNCILMAN TAUBENBERGER: Thank
9 you, Mr. Chairman. And, Mr. Chairman,
10 thank you for your leadership on this
11 issue. Very, very, very important.

12 And Madam Commissioner, thank
13 you for your leadership at the Water
14 Department. I feel very confident we're
15 always doing good things.

16 I do want to ask you, though,
17 you had said earlier that a number of big
18 cities have taken meters like this.
19 Could you name them, if you could.

20 COMMISSIONER McCARTY: New York
21 City.

22 COUNCILMAN TAUBENBERGER: New
23 York City now has meters?

24 COMMISSIONER McCARTY: Yeah.

25 COUNCILMAN TAUBENBERGER: For a

1 12/5/18 - TRANSPORTATION - BILL 180972, ETC.

2 while they did not have meters.

3 COMMISSIONER McCARTY: I know.

4 COUNCILMAN TAUBENBERGER: A lot

5 of people don't know that. They used to

6 get billed on the amount of flushable

7 toilets they had in the building, which

8 is kind of bizarre, but okay. So New

9 York City now has meters and they're this

10 type of meter?

11 COMMISSIONER McCARTY: They

12 have AMI. So they have Advanced -- yes.

13 COUNCILMAN TAUBENBERGER: Yes.

14 That was my -- yes. Yes.

15 COMMISSIONER McCARTY: That's

16 right. Thank you. Boston and

17 Washington, DC.

18 COUNCILMAN TAUBENBERGER: Who

19 else?

20 COMMISSIONER McCARTY: Boston

21 and Washington, DC.

22 COUNCILMAN TAUBENBERGER: Okay.

23 That answers --

24 COMMISSIONER McCARTY: And we

25 visited New York and we visited

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2 Washington as well just before we issued
3 the RFP. We wanted to see what they were
4 doing. We wanted to learn from them.

5 COUNCILMAN TAUBENBERGER:

6 Excellent work. Madam Commissioner,
7 thank you very much.

8 Mr. Chairman, thank you.

9 COMMISSIONER McCARTY: Thank
10 you.

11 COUNCILMAN JOHNSON: Thank you
12 very much.

13 Councilman Allan Domb.

14 COUNCILMAN DOMB: Thank you,
15 Mr. Chairman.

16 One last quick question. I
17 know we've had some conversations
18 recently about laterals that are an
19 issue. Would this pick up a problem with
20 a lateral?

21 COMMISSIONER McCARTY: No. So
22 what I believe -- with lateral, we
23 consider the drainage from the home the
24 lateral. So I just want to make sure
25 you're talking about the lateral for the

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2 sewer, not the water service or supply.

3 COUNCILMAN DOMB: Yeah, the
4 sewer, right. So it's not going to pick
5 that up.

6 COMMISSIONER McCARTY: It's not
7 going to pick that up.

8 COUNCILMAN DOMB: Just the
9 water service.

10 COMMISSIONER McCARTY: Just
11 metering the water service, yes.

12 COUNCILMAN DOMB: Will it pick
13 up, from Councilman Squilla -- I'm going
14 to ask the question for him -- will it
15 pick up a problem if there's a water
16 service leak?

17 COMMISSIONER McCARTY: It has
18 the ability to do that. Their
19 technology, and it's one of the reasons
20 we picked Sensus, is because a lot of the
21 extra features are more advanced and
22 proven with Sensus than any of the other
23 vendors. And so that is a possibility.
24 It will -- if you have a leak in your
25 home after the meter, that's what that

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2 notification is going to provide
3 customers. So it will notify you if --
4 say you're usually 5 CCF and you start
5 using 10 CCF, that says there's a leak
6 potentially, and it will notify
7 customers.

8 COUNCILMAN DOMB: So other
9 cities have used this technology. Have
10 they been able to track savings as a
11 percentage of the water bills for their
12 residents?

13 COMMISSIONER McCARTY: I'm
14 sorry. What was that again?

15 COUNCILMAN DOMB: Other cities
16 that are using this technology, have they
17 been able to track the percentage that
18 those residents have saved annually on
19 their water bills?

20 COMMISSIONER McCARTY: I'm not
21 aware of that occurring.

22 COUNCILMAN DOMB: All right.
23 Thank you very much for your testimony.

24 Thank you, Mr. Chair.

25 COUNCILMAN JOHNSON: Thank you

1 12/5/18 - TRANSPORTATION - BILL 180972, ETC.

2 very much, Councilman.

3 Any other questions for the
4 panel?

5 (No response.)

6 COUNCILMAN JOHNSON: Thank you
7 very much.

8 COMMISSIONER McCARTY: Thank
9 you.

10 COUNCILMAN JOHNSON: Is there
11 anyone else here to testify on this bill?

12 (No response.)

13 COUNCILMAN JOHNSON: Seeing
14 none, this concludes today's public
15 hearing. We will now go into our public
16 meeting to consider action on the bills
17 heard today.

18 The Chair recognizes Councilman
19 Mark Squilla from the great area of South
20 Philadelphia for a motion on the
21 amendments to Bill No. 180972.

22 COUNCILMAN SQUILLA: Thank you,
23 Mr. Chairman. I offer an amendment to
24 Bill No. 180972. A copy of the amendment
25 has been circulated to all members of the

1 12/5/18 - TRANSPORTATION - BILL 180972, ETC.

2 Committee. I move that the amendment to
3 this Bill 180972 be approved.

4 (Duly seconded.)

5 COUNCILMAN JOHNSON: It has
6 been moved and properly seconded that the
7 amendment to Bill No. 180972 be approved.

8 All those in favor?

9 (Aye.)

10 COUNCILMAN JOHNSON: Opposed?

11 (No response.)

12 COUNCILMAN JOHNSON: The ayes
13 have it and the motion carries, and the
14 amendment to Bill No. 180972 has been
15 approved.

16 The Chair recognizes
17 Councilmember Mark Squilla for a motion
18 on Bills No. 181007 and 180972, as
19 amended.

20 COUNCILMAN SQUILLA: Thank you,
21 Mr. Chairman. I move that Bill No.
22 181007 and Bill No. 180972, as amended,
23 be reported from this Committee with a
24 favorable recommendation and further move
25 that the rules of Council be suspended to

1 12/5/18 - TRANSPORTATION - BILL 180972, ETC.

2 permit the first reading of these bills
3 at the next session of Council.

4 (Duly seconded.)

5 COUNCILMAN JOHNSON: All those
6 in favor signify by saying aye.

7 (Aye.)

8 COUNCILMAN JOHNSON: Opposed?

9 (No response.)

10 COUNCILMAN JOHNSON: The ayes
11 have it and the motion carries. Bill No.
12 181007 and Bill No. 180972, as amended,
13 will be reported from this Committee with
14 a favorable recommendation with a request
15 that the rules of Council be suspended to
16 permit first reading at the next session
17 of Council.

18 This concludes the business of
19 this Committee. We will stand in recess
20 to the call of the Chair.

21 Thank you very much, everyone.

22 (Committee on Transportation
23 and Public Utilities concluded at 3:55
24 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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