



**PUBLIC SERVICE BOARD MEETING  
AGENDA ITEM  
REGULAR MEETING**

**Wednesday August 13, 2025**

**SUBJECT**

Contract with 120Water, Inc (120Water) for Lead and Copper Compliance Support (LCRR)

**BACKGROUND**

EPWater previously entered into an agreement with 120Water to provide software and logistical services supporting regulatory mandates under the revised Environmental Protection Agency (EPA) Lead and Copper Rule. These services include data management, sampling coordination, and reporting. As the current agreement nears expiration, a contract renewal is proposed to ensure continuity of these essential compliance activities.

**PRIOR PSB ACTION**

- On July 13, 2022, the Public Service Board approved a sole-source contract with 120 Water Audit, Inc. for services related to compliance with the revised Lead and Copper Rule for an estimated annual amount of \$300,000, one-year initial term and two one-year renewal options.

**UTILITY KPI ALIGNMENT**

Customer Satisfaction

**EVALUATION PROCESS**

120Water's performance has been evaluated based on timeliness, data management efficiency, and effectiveness in meeting regulatory compliance and staff has determined that the vendor has provided reliable service. A sole-source justification supports the renewal, given the proprietary nature of the platform and its alignment with federal compliance specifications. Staff evaluated proposal for the continued use of the application and determined that it meets EPWater requirements.

**FINANCIAL IMPLICATIONS**

Sufficient funds are available in Account Number 7690, and the funding source is the Water and Sewer Fund. This expenditure is part of the FY2025-26 budget.

**PROPOSED ACTION REQUESTED**

Consider and approve a sole source contract with 120Water, Inc, in accordance with Section 252.022(a)(7)(A) of the Texas Local Government Code, for the software application and related services needed to comply with the Lead and Copper Rule in the estimated annual amount of \$300,000 for one year and two one-year options to extend, contingent upon the vendor providing annual documentation attesting to their sole source status.

**SUPPORTING DOCUMENTATION PROVIDED**

- Sole Source Affidavit
- Sole Source Letter



120Water  
250 S. Elm Street  
Zionsville, IN 46077  
May 29th, 2025

To Whom It May Concern:

This letter is submitted by request from El Paso Water as confirmation that 120Water is the sole provider of an end-to-end program solution for Compliance with the Revisions and Improvements to the Lead and Copper Rule (LCRR/I).

El Paso Water is required by the LCRR/I to develop a publicly-available, digitized inventory of both utility owned and customer-owned service line segments, send annual notification letters to residents who have unknown, lead or galvanized requiring replacement materials in their service lines, complete 1st and 5th Liter compliance sampling with newly developed tier sites, and perform reportable lead testing in schools & daycares.

120Water is a technical services company that helps state agencies, schools and public water utilities plan, manage and effectively communicate the results of water compliance programs. 120Water is the only company with a cloud-based technology platform and complementary services to manage the full life cycle of both inventory development AND water testing programs at the point of use. The 120Water platform is used to run the full lifecycle of drinking water voluntary and compliance programs, including Lead and Copper Rule Compliance Monitoring, Lead Service Line Inventory, Lead Service Line Replacement (if necessary), Facilities Sampling, and Pitcher/Filter Distribution (if necessary) across 48 states.

120Water is the only organization that manages full outsourcing of lead & copper sampling, lead line inventory hosting and management, and ready to implement technology, consumables and services solutions to support adherence to all of the updated LCRR/I requirements.

Sincerely,

Craig Herman  
Chief Revenue Officer  
craig.herman@120water.com



EL PASO WATER UTILITIES PUBLIC SERVICE BOARD

**SOLE SOURCE AFFIDAVIT**

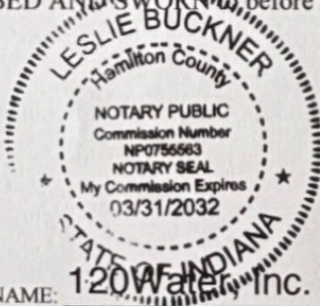
Before me, the undersigned official, on this day, personally appeared a person known to me to be the person whose signature appears below, whom after being duly sworn upon his/her oath deposed and said:

1. My name is Jennifer Fulk. I am over the age of 18, have never been of a convicted crime and am competent to make this affidavit.
2. I am an authorized representative of the following company or firm: 120Water, Inc.
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):  
End to end Digital Water Platform
4. Competition in providing the above named item(s) product(s), service(s) is precluded by the existence of a patent, copyright, secret process or monopoly as stated under Section 252.022, Subchapter A of the Local Governmental Code 7A or as provided for under 7B-F of the same section. Also, attached hereto is a sole source letter, which sets forth the reasons why this Vendor is a sole source provider (dated and signed).
5. There is/are no other like item(s) or product(s) available for purchase that would serve the same purpose or function.
6. **Note: This Vendor understands that by providing false information on this Sole Source Affidavit, it may be considered a non-responsible Vendor on this and future purchases and may result in discontinuation of any/all business with the El Paso Public Utilities-Public Service Board.**

Jennifer Fulk

Signature

SUBSCRIBED AND SWORN to before me on this 21 day of May 2025



Leslie Buckner

NOTARY PUBLIC

Leslie Buckner

PRINTED NAME

03/31/2032

MY COMMISSION EXPIRES

COMPANY NAME: 120Water, Inc.

ADDRESS, CITY, STATE & ZIP CODE: 250 S. Elm, Zionsville, IN 46077

PHONE: 888-317-1510

FAX NUMBER: \_\_\_\_\_

CONTACT NAME AND TITLE: Jennifer Fulk, Chief Financial Officer

WEB ADDRESS: www.120water.com

EMAIL: jennifer.fulk@120water.com

FEDERAL TAX ID NUMBER: 93-4964685

TEXAS SALES TAX NUMBER: N/A