



Badger Meter

JEFFERSON PARISH PURCHASING DEPARTMENT

Invitation to Bid
Bid #50-00143901 Purchase of 1" Meter
Due Tuesday, November 28, 2023 at 11:00 AM CST



4545 W Brown Deer Road
PO Box 245036
Milwaukee, Wisconsin 53224-9536
414-355-0400 | 800-876-3837
www.badgermeter.com

November 22, 2023

Ms. Donna Evans Buyer II
Jefferson Parish Purchasing Department
200 Derbigny Street
STE 4400
Gretna, LA 70053

RE: Bid #50-00143901 Purchase of 1" Meter

Opening Date: November 28, 2023 at 11:00 a.m.

Dear Ms. Evans:

Accompanying with this letter is Badger Meter's response to the Jefferson Parish Purchasing Department's (Jefferson Parish) Invitation to Bid (ITB) #50-00143901 Purchase of 1" Meter, requesting a supply of new meters. Badger Meter appreciates the opportunity to support Jefferson Parish's objectives set forth with the release of this ITB. At Badger Meter, we take our customers' needs seriously and look forward to demonstrating to Jefferson Parish what it means to partner with us. The commitment of Badger Meter is to provide Jefferson Parish high-quality products that are readily available and offer extraordinary value. Our people, operations, and products have allowed us to deliver on this commitment consistently, without failure.

Badger Meter is a market leader in water meter technology with 115+ years of experience designing, manufacturing, and supplying water meters, including over 35 million water meters installed nationwide. With over a century in the metering business, Jefferson Parish can rest assured, Badger Meter is a reputable company renowned for providing the highest-quality products.

As the world navigates economic and supply chain challenges that have affected many organizations, recognize that Jefferson Parish can count on Badger Meter as a partner that has proven it can deliver on its competitive lead times. Badger Meter's supply chain execution demonstrates our capability to navigate external challenges and capitalize on the current robust demand environment. We have shown great agility in this market by effectively redesigning certain product components to provide greater flexibility on supply sources. These successes differentiate Badger Meter from competitors.

This letter as well as the general disclosures are attached to and becomes part of Badger Meter's response. Payment terms are net 30 days. Prices quoted in this bid, if awarded to Badger Meter, will remain firm through May 21, 2024, if acceptance is made within 60 days. Please note the

quote is exempt from freight charges. This letter as well as the general disclosures are attached to and becomes part of Badger Meter's response.

A copy of the bid tabulation, for our records, is appreciated. Electronic results can be emailed to proposals@badgermeter.com.

In the event you have any questions regarding this correspondence, our Proposals department can be reached by email at proposals@badgermeter.com or by telephone at 800-876-3837. Additionally, you may contact your Account Manager, Brent Bennett, by email at bbennett@badgermeter.com or by telephone at 225-305-3079.

Sincerely,

BADGER METER INC.

Jennifer A. Dunk
Assistant Secretary and Proposal Lead

GENERAL DISCLOSURES

After the initial one-year term, Badger Meter reserves the right to increase pricing based on market prices and pricing indices at the time of renewal.

Due to continuous improvements and redesign of our 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.

We provide certification files to help you manage your meter and endpoint inventory along with the corresponding 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.

CONFIDENTIALITY STATEMENT

The information contained herein is to be considered confidential and proprietary to the extent allowable by law. © 2023 Badger Meter, Inc. All rights reserved.

TABLE OF CONTENTS

Authorization to Sign

Invitation to Bid Forms

Product Data Sheets

Warranty Documentation

AUTHORIZATION TO SIGN





4545 W Brown Deer Road
 PO Box 245036
 Milwaukee, Wisconsin 53224-9536
 414-355-0400 | 800-876-3837
 www.badgermeter.com

CERTIFICATION
 OF SIGNATURE AUTHORITY

I certify as follows:

By Board Resolution adopted by the Board of Directors of Badger Meter, Inc. and in full force and effect as of this date:

The following *elected executive officers* are, among other things, hereby authorized to execute, amend, and cancel bids and contracts for the sale of products, distributor and representative agreements, bid bonds, surety bonds, contracts, leases and certain other legally binding documents in the ordinary course of business, in the name of Badger Meter, Inc.

Kenneth C. Bockhorst	Chairman, President and Chief Executive Officer
Robert A. Wrocklage	Senior Vice President – CFO
Lars B. Kristensen	Vice President – Global Flow Instrumentation and International Utility
Kimberly K. Stoll	Vice President – Sales and Marketing
Matthew L. Stuyvenberg	Vice President – Water Quality
William R. A. Bergum	Vice President – General Counsel & Secretary

Pursuant to the Power granted by the Board of Directors, the following *elected non-executive officers* are hereby authorized to execute, amend, and cancel bids, bid-related contracts and documents, requests for proposals and quotes, and all other bid-related documentation in the name of Badger Meter, Inc.

Jennifer A. Dunk	Assistant Secretary	Proposal Lead – Bids and Contract Administration
Wayne Dennis	Assistant Secretary	Senior Director - International Sales & Marketing & Proposal Manager – Bids and Contract Administration
Claire A. Evans	Assistant Secretary	Senior Legal Counsel
Nicholas J. Gemmill	Assistant Secretary	Proposal Lead – Bids and Contract Administration
Matthew B. Gieseke	Assistant Secretary	Milwaukee Accounting Manager
Charity D Granberry	Assistant Treasurer	Sr. Director – Utility Sales
Shauna A. Griffin	Assistant Secretary	Milwaukee Credit Manager
Benjamin E. Loomis	Assistant Secretary	Counsel II
David A. Miller	Assistant Secretary	Proposal Lead – Bids and Contract Administration
Rachel J. Meyer	Assistant Secretary	Director - Finance
Jevgeni Neufeld	Assistant Treasurer	Director - Accounting & External Reporting
Christie M. Tarantino	Assistant Treasurer	Counsel III
Kavin Tedamrongwanish	Assistant Secretary	

BY:

William R. A. Bergum,
 Vice President - General Counsel & Secretary
 Badger Meter, Inc.

June 13, 2023
 Date

INVITATION TO BID FORMS



DATE: 11/15/2023

INVITATION TO BID
THIS IS NOT AN ORDER

Page: 5

BID NO.: 50-00143901

JEFFERSON PARISH

PURCHASING DEPARTMENT
P.O. BOX 9
GRETNA, LA. 70054-0009
504-364-2678

VENDOR: 27118 BLANK BID COPY VENDOR

PURCHASING SPECIALIST:
DMEVANS

As per LSA-RS 47:301 et seq., all governmental bodies are excluded from payment of sales taxes to any Louisiana taxing body. Quotations shall be based on F.O.B. Agency warehouse or jobsite, anywhere within the Parish as designated by the Purchasing Department.

JEFFERSON PARISH reserves the right to cancel all or any part of an order if not shipped promptly. No charges will be allowed for parking or cartage unless specified in quotation. The order must not be filled at a higher price than quoted. JEFFERSON PARISH reserves the right to cancel at any time and for any reason by issuing a THIRTY (30) day written notice to the contractor.

JEFFERSON PARISH is expecting all products to be new and all work to be done in workman-like manner, according to standard practices. Any deviations or alteration from the specifications must be indicated on the bid form for each item and upon request, product data for same must be submitted by the time specified by the Purchasing Department.

DELIVERY: FOB JEFFERSON PARISH

INDICATE DELIVERY DATE ON EQUIPMENT AND SUPPLIES

8 Weeks ARO

INDICATE STARTING TIME (IN DAYS) FOR CONSTRUCTION WORK

Not Applicable

INDICATE COMPLETION TIME (IN DAYS) FOR CONSTRUCTION WORK

Not Applicable

In the event that addenda are issued with this bid, bidders MUST acknowledge all addenda on the bid form. Bidder must acknowledge receipt of an addendum on the bid form by placing the addendum number as indicated. Failure to acknowledge any addendum on the bid form will result in bid rejection.

Acknowledge Receipt of Addenda: NUMBER: _____

NUMBER: _____

NUMBER: _____

NUMBER: _____

LOUISIANA CONTRACTOR'S LICENSE NO.: (if applicable) Not Applicable

***** ALL BIDDERS MUST COMPLETE SECTION BELOW *****

FIRM NAME: Badger Meter, Inc.

SIGNATURE:
(Must be signed here)

TITLE: Assistant Secretary and
Proposal Lead

PRINT OR TYPE NAME:
Jennifer A. Dunk

ADDRESS: 4545 W. Brown Deer Road

CITY, STATE: Milwaukee, WI

ZIP: 53223

TELEPHONE:
(800) 876-3837

FAX:
(414) 371-5981

EMAIL ADDRESS: proposals@badgermeter.com

TOTAL PRICE OF ALL BID ITEMS: \$ \$29,000.00

INVITATION TO BID FROM JEFFERSON PARISH - continued

BID NO.: 50-00143901

SEALED BID

ITEM NUMBER	QUANTITY	U/M	DESCRIPTION OF ARTICLES	UNIT PRICE QUOTED	TOTALS
1	100.00	EA	<p>PURCHASE OF ONE INCH METER</p> <p>0010 METER, 1 IN, NO LEAD BRONZE HOUSING, SHROUD AND LID, POSITIVE DISPLACEMENT, 70 GPM, S/S DISC SPINDLES, S/S TRIM, WITH ITRON CONNECTOR, BADGER #RCDL M70, LINE ITEM 0020 SK# 00-0382510</p> <p>JEFFERSON PARISH WB WAREHOUSE - ALBERT CHAUVIN</p> <p>MO23-2117091 DELIVER TO: JEFFERSON PARISH WESTBANK WAREHOUSE 1500 RIVER PARK ROAD BRIDGE CITY, LA. 70094 Phn: (504) 349-5155</p>	<p>\$ 290.00</p>	<p>\$ 29,000.00</p>

PRODUCT DATA SHEETS





Badger Meter

Recordall® Disc Meters

Lead-Free Bronze Alloy, Sizes 5/8, 5/8 x 3/4, 3/4 & 1 inch
NSF/ANSI Standards 61 and 372 Certified



Model 25—5/8 in., 5/8 x 3/4 in.



Model 35—3/4 in.



Model 55—1 in.



Model 70—1 in.

DESCRIPTION

The Recordall Disc Series meters meet or exceed the most recent revision of AWWA Standard C700 and are available in a lead-free bronze alloy. The meters comply with the lead-free provisions of the Safe Drinking Water Act, are certified to NSF/ANSI Standards 61 and 372 (Trade Designations: M25-LL, M35-LL, M55-LL, M70-LL) and carry the NSF-61 mark on the housing. All components of the lead-free bronze alloy meter (housing, measuring element, seals, and so on) comprise the certified system.

Applications: For use in measurement of potable cold water in residential, commercial and industrial services where flow is in one direction only.

Operation: Water flows through the meter's strainer and into the measuring chamber where it causes the disc to nutate. The disc, which moves freely, nutates on its own ball, guided by a thrust roller. A drive magnet transmits the motion of the disc to a follower magnet located within the permanently sealed register. The follower magnet is connected to the register gear train. The gear train reduces the disc nutations into volume totalization units displayed on the register or encoder face.

Operating Performance: The Recordall Disc Series meters meet or exceed registration accuracy for the low flow rates (95%), normal operating flow rates (100 ± 1.5%), and maximum continuous operation flow rates as specifically stated in AWWA Standard C700.

Construction: Recordall Disc meter construction, which complies with ANSI/AWWA standard C700, consists of three basic components: meter housing, measuring chamber and permanently sealed register or encoder. The meter is available in a lead-free bronze alloy with externally threaded spuds. A corrosion-resistant engineered polymer material is used for the measuring chamber.

Magnetic Drive: Direct magnetic drive, through the use of high-strength magnets, provides positive, reliable and dependable register coupling for straight-reading or AMR/AMI meter reading options.

Tamper-Proof Features: Unauthorized removal of the register or encoder is inhibited by the option of a tamper detection seal wire screw, TORX® tamper-resistant seal screw or the proprietary tamper-resistant keyed seal screw. Each can be installed at the meter site or at the factory.

Maintenance: Badger Meter Recordall Disc Series meters are designed and manufactured to provide long-term service with minimal maintenance. When maintenance is required, it can be performed easily either at the meter installation or at any other convenient location.

To simplify maintenance, the register, measuring chamber, and strainer can be replaced without removing the meter housing from the installation. No change gears are required for accuracy calibration. Interchangeability of parts among like-sized meters and meter models also minimizes spare parts inventory investment. The built-in strainer has an effective straining area of twice the inlet size.

Connections: Tailpieces/Unions for installations of meters on various pipe types and sizes, including misaligned pipes, are available as an option.

Meter Spud and Connection Sizes

Model	Size Designation (in.)	×	"L" Laying Length (in.)	"B" Bore Dia. (in.)	Coupling Nut and Spud Thread (in.)	Tailpiece Pipe Thread (NPT) (in.)
25	5/8	×	7-1/2	5/8	3/4 (5/8)	1/2
	5/8 x 3/4	×	7-1/2	5/8, 3/4	1 (3/4)	3/4
35	3/4	×	7-1/2	3/4	1 (3/4)	3/4
	3/4	×	9	3/4	1 (3/4)	3/4
	3/4 x 1	×	9	3/4	1-1/4 (1)	1
55	1	×	10-3/4	1	1-1/4 (1)	1
70	1	×	10-3/4	1	1-1/4 (1)	1

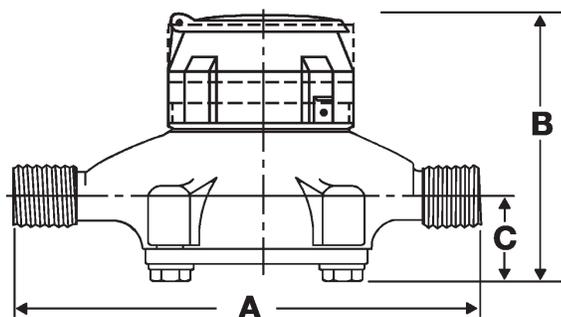
SPECIFICATIONS

	Model 25 (5/8 in. & 5/8 x 3/4 in.)	Model 35 (3/4 in.)	Model 55 (1 in.)	Model 70 (1 in.)
Typical Operating Range (100% ±1.5%)	0.5...25 gpm (0.11...5.7 m ³ /hr)	0.75...35 gpm (0.17...7.9 m ³ /hr)	1...55 gpm (0.23...12.5 m ³ /hr)	1.25...70 gpm (0.28...16 m ³ /hr)
Low Flow	0.25 gpm (0.057 m ³ /hr) Min. 98.5%	0.375 gpm (0.085 m ³ /hr) Min. 97%	0.5 gpm (0.11 m ³ /hr) Min. 95%	0.75 gpm (0.17 m ³ /hr) Min. 95%
Maximum Continuous Operation	15 gpm (3.4 m ³ /hr)	25 gpm (5.7 m ³ /hr)	40 gpm (9.1 m ³ /hr)	50 gpm (11.3 m ³ /hr)
Pressure Loss at Maximum Continuous Operation	5/8 in. size: 3.5 psi @ 15 gpm (0.24 bar @ 3.4 m ³ /hr) 5/8 x 3/4 in. size: 2.8 psi @ 15 gpm (0.19 bar @ 3.4 m ³ /hr)	5 psi @ 25 gpm (0.37 bar @ 5.7 m ³ /hr)	3.4 psi @ 40 gpm (0.23 bar @ 9.1 m ³ /hr)	6.5 psi @ 50 gpm (0.45 bar @ 11.3 m ³ /hr)
Maximum Operating Temperature	80° F (26° C)			
Maximum Operating Pressure	150 psi (10 bar)			
Measuring Element	Nutating disc, positive displacement			
Meter Connections	<i>Available in NL bronze and engineered polymer to fit spud thread bore diameter sizes:</i>			
	5/8 in. size: 5/8 in. (DN 15 mm) 5/8 x 3/4 in. size: 3/4 in. (DN 15 mm)	3/4 in. (DN 20 mm)	1 in. (DN 25 mm)	1 in. (DN 25 mm)

MATERIALS

	Model 25 (5/8 in. & 5/8 x 3/4 in.)	Model 35 (3/4 in.)	Model 55 (1 in.)	Model 70 (1 in.)
Meter Housing	Lead-free bronze alloy			
Housing Bottom Plates	Cast iron, lead-free bronze alloy, engineered polymer	Cast iron, lead-free bronze alloy		
Measuring Chamber	Engineered polymer			
Disc	Engineered polymer			
Trim	Stainless steel			
Strainer	Engineered polymer			
Disc Spindle	Stainless steel	Stainless steel	Engineered polymer	Stainless steel
Magnet	Ceramic	Ceramic	Ceramic	Ceramic
Magnet Spindle	Engineered polymer	Stainless steel	Engineered polymer	Stainless steel
Register Lid and Shroud	Engineered polymer, bronze			

DIMENSIONS



Meter Size	Model	A Laying Length	B Height Reg.	C Centerline Base	Width	Approx. Shipping Weight
5/8 in. (15 mm)	25	7-1/2 in. (190 mm)	4-15/16 in. (125 mm)	1-11/16 in. (42 mm)	4-1/4 in. (108 mm)	4-1/2 lb (2 kg)
5/8 in. × 3/4 in. (15 mm)		7-1/2 in. (190 mm)	4-15/16 in. (125 mm)	1-11/16 in. (42 mm)	4-1/4 in. (108 mm)	4-1/2 lb (2 kg)
3/4 in. (20 mm)	35	7-1/2 in. (190 mm)	5-1/4 in. (133 mm)	1-5/8 in. (41 mm)	5 in. (127 mm)	5-1/2 lb (2.5 kg)
3/4 in. (20 mm)		9 in. (229 mm)	5-1/4 in. (133 mm)	1-5/8 in. (41 mm)	5 in. (127 mm)	5-3/4 lb (2.6 kg)
3/4 in. × 1 in. (20 mm)		9 in. (229 mm)	5-1/4 in. (133 mm)	1-5/8 in. (41 mm)	5 in. (127 mm)	6 lb (2.7 kg)
1 in. (25 mm)	55	10-3/4 in. (273 mm)	6 in. (152 mm)	2-1/32 in. (52 mm)	6-1/4 in. (159 mm)	8-3/4 lb (3.9 kg)
1 in. (25 mm)	70	10-3/4 in. (273 mm)	6-1/2 in. (165 mm)	2-5/16 in. (59 mm)	7-3/4 in. (197 mm)	11-1/2 lb (5.2 kg)

REGISTERS / ENCODERS

Standard—Sweep-Hand Registration

The standard register is a straight-reading, permanently sealed magnetic drive register. Dirt, moisture, tampering and lens fogging problems are eliminated. The register has a six-odometer wheel totalization display, 360° test circle with center sweep hand, and flow finder to detect leaks. Register gearing is made of self-lubricating engineered polymer, which minimizes friction and provides long life. The multi-position register simplifies meter installation and reading. The register capacity is 10,000,000 gallons (1,000,000 ft³, 100,000 m³).

A Model 25 register is used in the following example:



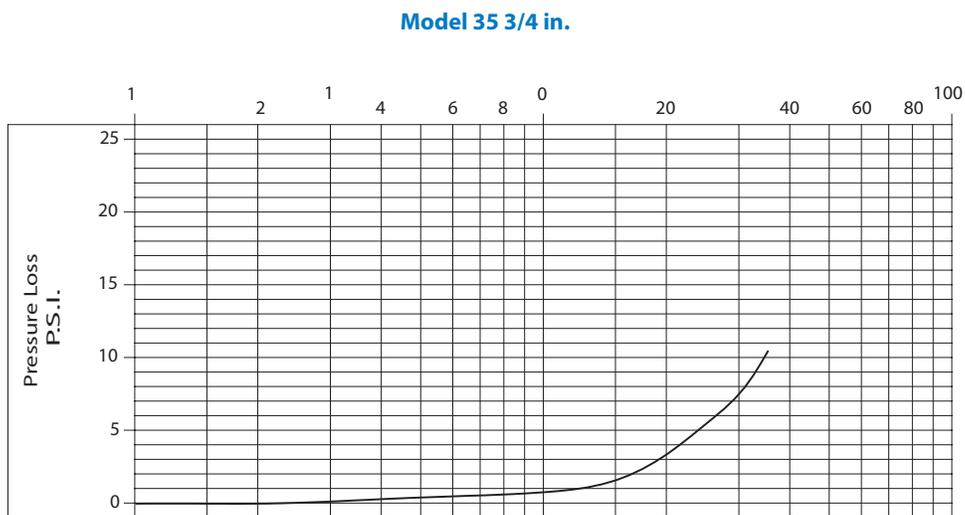
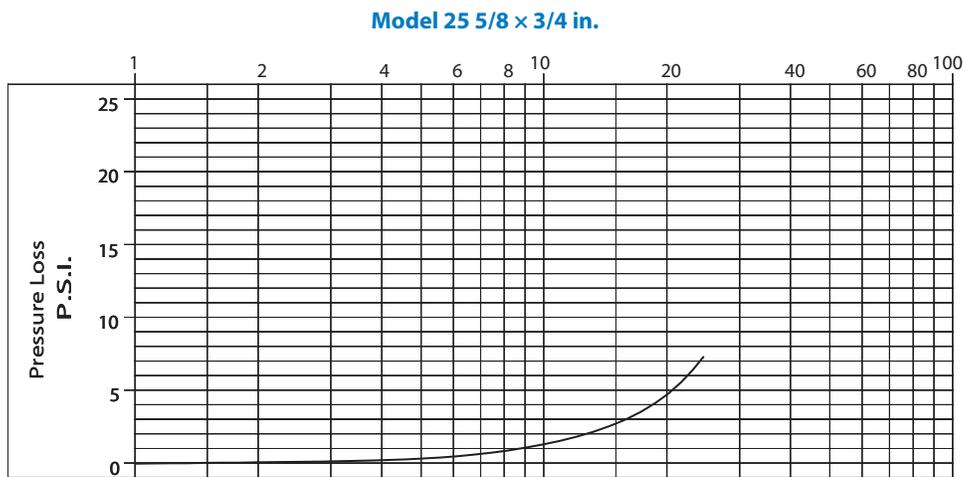
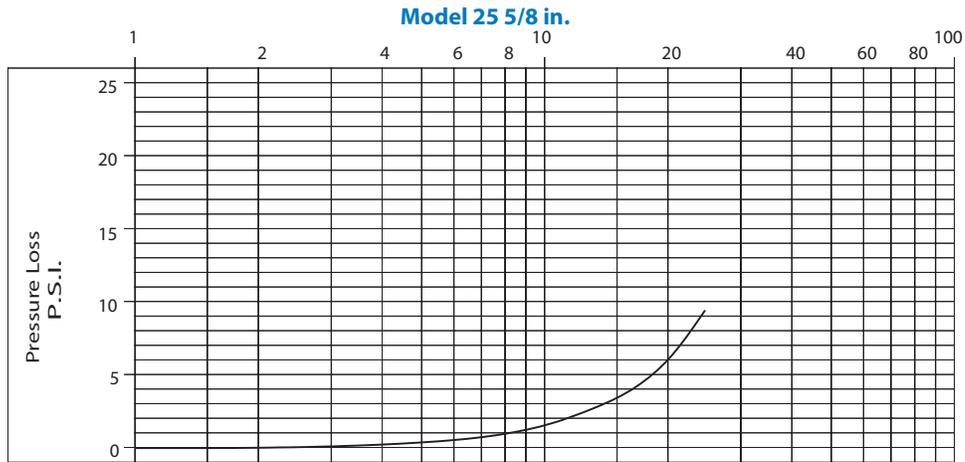
Model	Gallon	Cubic Feet	Cubic Meter
25 (5/8 in.)	10	1	0.1/0.01
25 (5/8 × 3/4 in.)	10	1	0.1/0.01
35	10	1	0.1
55	10	1	0.1
70	10	1	0.1

Optional—Encoders for AMR/AMI Reading Solutions

AMR/AMI solutions are available for all Recordall Disc Series meters. All reading options can be removed from the meter without disrupting water service. Badger Meter encoders provide years of reliable, accurate readings for a variety of applications. See details at www.badgermeter.com.

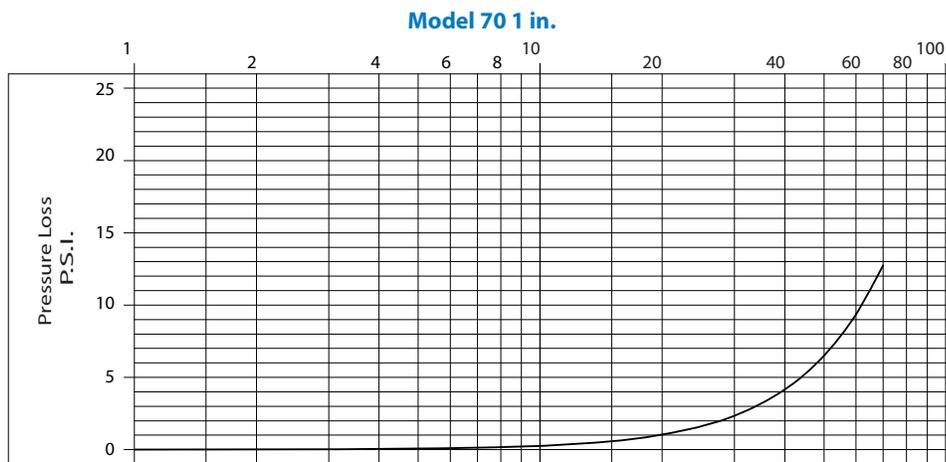
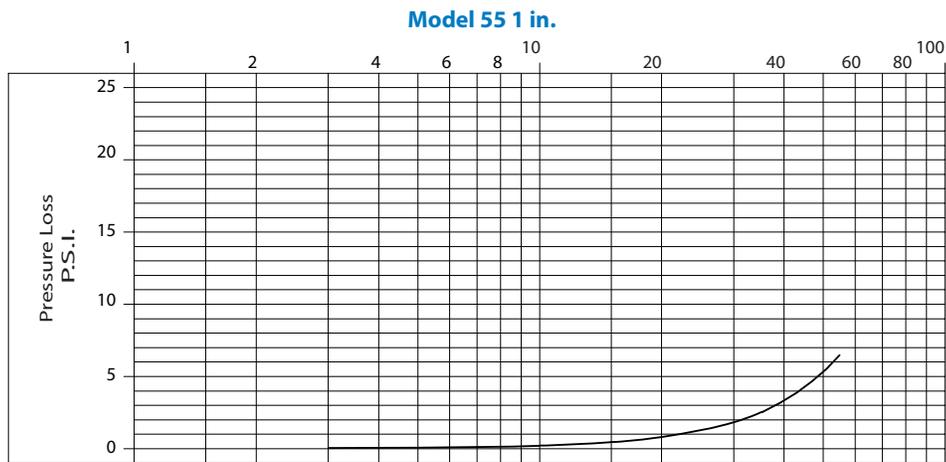
PRESSURE LOSS CHARTS

Rate of Flow in Gallons per Minute



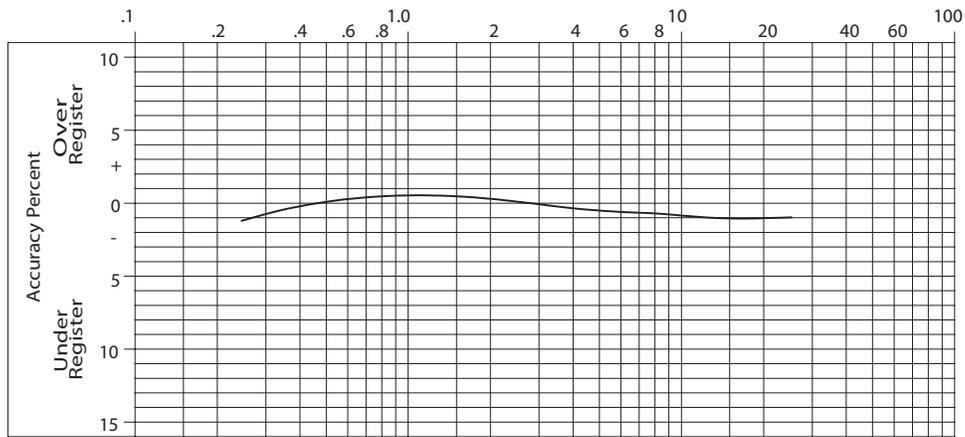
PRESSURE LOSS CHARTS (CONTINUED)

Rate of Flow in Gallons per Minute

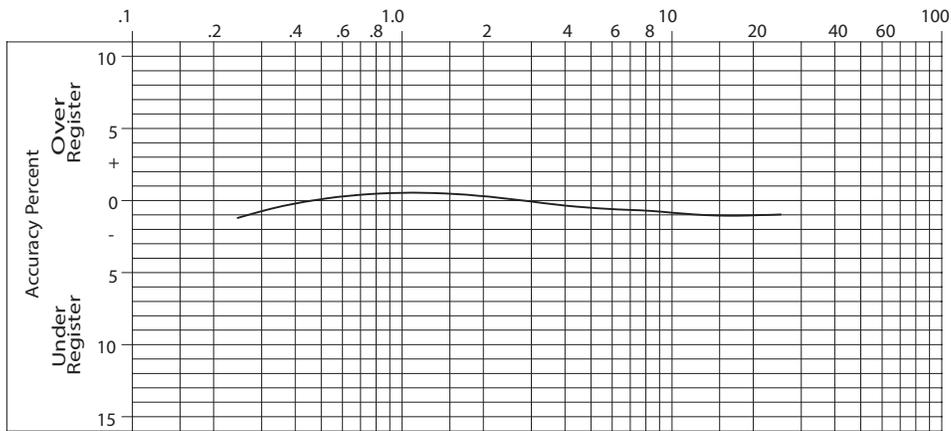


ACCURACY CHARTS

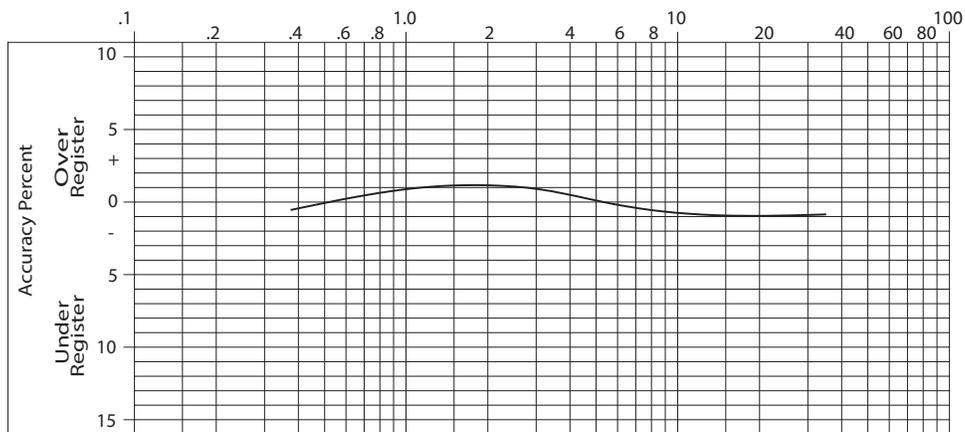
Model 25 5/8 in.



Model 25 5/8 x 3/4 in.

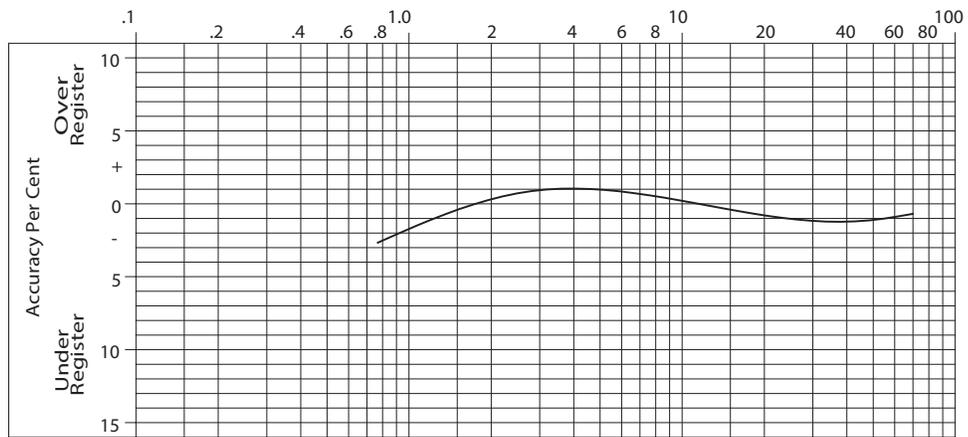


Model 35 3/4 in.

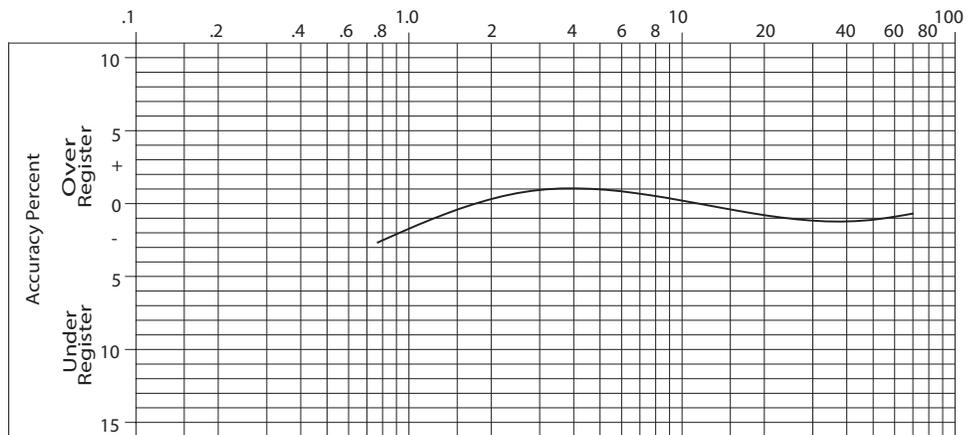


ACCURACY CHARTS (CONTINUED)

Model 55 1 in.



Model 70 1 in.



SMART WATER IS BADGER METER

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www.badgermeter.com

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Europe, Eastern Europe Branch Office (for Poland, Latvia, Lithuania, Estonia, Ukraine, Belarus) | Badger Meter Europe | ul. Korfantego 6 | 44-193 Knurów | Poland | +48-32-236-8787
Europe, Middle East and Africa | Badger Meter Europa GmbH | Nurtinger Str 76 | 72639 Neuffen | Germany | +49-7025-9208-0
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Asia Pacific | Badger Meter | 80 Marine Parade Rd | 19-07 Parkway Parade | Singapore 449269 | +65-63464836
Switzerland | Badger Meter Swiss AG | Mittelholzerstrasse 8 | 3006 Bern | Switzerland | +41-31-932 01 11

WARRANTY DOCUMENTATION





Badger Meter

Lead-Free Bronze Disc Meters

PRODUCTS COVERED

This warranty shall apply to all Recordall® Lead-Free Bronze Disc Meters, models 25 through 170, when used to measure potable water, including the registers used with these meters (collectively “Product”) sold on or after January 25, 2019. This warranty is extended only to utilities, municipalities, other commercial users and authorized Badger Meter, Inc. distributors, hereafter referred to as “Customer” and does NOT apply to consumers or any person or entity who is not an original customer of Badger Meter or its authorized distributors.

MATERIALS AND WORKMANSHIP

Badger Meter warrants Product to be free from defects in materials and workmanship appearing within the following time frames and those listed in the table below:

Housings

Twenty-five (25) years and six (6) months after shipment from Badger Meter.

Local Registers Supplied with the Meters Listed Herein

Twenty-five (25) years and six (6) months after shipment from Badger Meter.

	AWWA New Meter Accuracy	AWWA Repaired Meter Accuracy (AWWA M6 Manual)	Badger Meter Extended Low Flow Meter Accuracy
Recordall Meter Model, Size	<i>The meter product will meet or exceed new meter accuracy standards set forth in AWWA Standard C700 for the following periods:</i>	<i>The meter product will meet or exceed repaired meter accuracy standards set forth in AWWA Manual M-6, Chapter 5, Table 5.3 for the following periods:</i>	<i>Badger Meter further warrants the meter product to meet or exceed the following extended low flow accuracies in excess of AWWA standard:</i>
Model 25, 5/8 in. and 5/8 x 3/4 in.	Five (5) years from date of shipment or registration of 750,000 gallons, whichever occurs first.	Fifteen (15) years from date of shipment or registration of 2,500,000 gallons, whichever occurs first, with a 25 gpm safe maximum operating capacity and a 15 gpm maximum rate for continuous operation.	Badger Meter warrants Product low flow accuracy of 98.5% at a rate of 1/4 gpm and low flow accuracy of 95.0% at a rate of 1/8 gpm for five (5) years from date of shipment or registration of 675,000 gallons, whichever occurs first.
Model 35, 3/4 in.	Five (5) years from date of shipment or registration of 750,000 gallons, whichever occurs first.	Fifteen (15) years from date of shipment or registration of 2,500,000 gallons, whichever occurs first, with a 35 gpm safe maximum operating capacity and a 25 gpm maximum rate for continuous operation.	Badger Meter warrants Product low flow accuracy of 97% at a rate of 3/8 gpm for five (5) years from date of shipment or registration of 675,000 gallons, whichever occurs first.
Model 55, 1 in.	Five (5) years from date of shipment or registration of 1,000,000 gallons, whichever occurs first.	Fifteen (15) years from date of shipment or registration of 3,000,000 gallons, whichever occurs first, with a 55 gpm safe maximum operating capacity and a 40 gpm maximum rate for continuous operation.	Badger Meter warrants Product low flow accuracy of 95% at a rate of 1/2 gpm for three (3) years from date of shipment or registration of 575,000 gallons, whichever occurs first.
Model 70, 1 in.	Five (5) years from date of shipment or registration of 1,100,000 gallons, whichever occurs first.	Fifteen (15) years from date of shipment or registration of 3,250,000 gallons, whichever occurs first, with a 70 gpm safe maximum operating capacity and a 50 gpm maximum rate for continuous operation.	Badger Meter warrants Product low flow accuracy of 95% at a rate of 3/4 gpm for three (3) years from date of shipment or registration of 1,100,000 gallons, whichever occurs first.
Model 120, 1-1/2 in.	Two (2) years from date of shipment or registration of 1,600,000 gallons, whichever occurs first.	Fifteen (15) years from date of shipment or registration of 5,600,000 gallons, whichever occurs first, with a 120 gpm safe maximum operating capacity and a 80 gpm maximum rate for continuous operation.	Badger Meter warrants Product low flow accuracy of 95% at a rate of 1-1/4 gpm for two (2) years from date of shipment or registration of 1,440,000 gallons, whichever occurs first.
Model 170, 2 in.	Two (2) years from date of shipment or registration of 2,100,000 gallons, whichever occurs first.	Fifteen (15) years from date of shipment or registration of 10,400,000 gallons, whichever occurs first, with a 170 gpm safe maximum operating capacity and a 100 gpm maximum rate for continuous operation.	Badger Meter warrants Product low flow accuracy of 95% at a rate of 1-1/2 gpm for two (2) years from date of shipment or registration of 1,890,000 gallons, whichever occurs first.

PRODUCT RETURNS

Any Product proved to the satisfaction of Badger Meter to have failed the foregoing warranties will, at the option of Badger Meter, be repaired or replaced without charge to the Customer. Any eligible Product repaired or replaced by Badger Meter will retain the original Product's warranty based on the original Product purchase date, at Badger Meter's sole discretion. The Badger Meter obligation hereunder shall be limited to such repair and replacement and shall be conditioned upon Badger Meter receiving written notice of any alleged defect within ten (10) days after its discovery. This exclusive remedy shall not be deemed to have failed its essential purpose so long as Badger Meter is willing and able to replace defective products or issue a credit to purchaser within a reasonable time of proof to Badger Meter that a defect is involved. Product returns must be shipped by the Customer prepaid F.O.B. to the nearest Badger Meter factory or distribution center. The Customer shall be responsible for all direct and indirect costs associated with removing the original Product and reinstalling the repaired or replacement Product.

LIMITS OF LIABILITY

This warranty shall not apply to Product repaired or altered by parties other than Badger Meter. The foregoing warranty applies only to the extent that the Product is installed, serviced and operated strictly in accordance with AWWA Standard C700 and AWWA M6 Manual, as applicable. The warranty shall not apply and shall be void with respect to Product exposed to conditions other than those detailed in the Badger Meter Product technical and/or operational literature, or which have been exposed to adverse installation conditions, damaged by any water conditions and/or water quality, including but not limited to foreign matter in the water such as dirt, sand, minerals, debris, deposits, biofilms, extreme corrosivity, or other impurities, or which have been subject to passage of high-speed air slugs, vandalism, negligence, accident, acts of God, alteration, improper installation, operation or repair, or other circumstances which are beyond the reasonable control of Badger Meter. With respect to Product not manufactured by Badger Meter, the warranty obligations of Badger Meter shall in all respects conform and be limited to the warranty extended to Badger Meter by the supplier.

THE FOREGOING WARRANTIES ARE EXCLUSIVE AND IN LIEU OF ALL OTHER EXPRESS AND IMPLIED WARRANTIES WHATSOEVER, INCLUDING BUT NOT LIMITED TO IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE (except warranties of Title).

Any description of Product, whether in writing or made orally by Badger Meter or its agents, specifications, samples, models, bulletins, drawings, diagrams, engineering sheets, or similar materials used in connection with any Customer's order are for the sole purpose of identifying Product and shall not be construed as an express warranty. Any suggestions by Badger Meter or its agents regarding use, application or suitability of Product shall not be construed as an express warranty unless confirmed to be such in writing by Badger Meter.

Exclusion of Consequential Damages and Disclaimer of Other Liability

Badger Meter liability with respect to breaches of the foregoing warranty shall be limited as stated therein. Badger Meter liability shall in no event exceed the contract price.

BADGER METER SHALL NOT BE SUBJECT TO AND DISCLAIMS:

- (1) ANY OTHER OBLIGATIONS OR LIABILITIES ARISING OUT OF BREACH OF CONTRACT OR OF WARRANTY
- (2) ANY OBLIGATIONS WHATSOEVER ARISING FROM TORT CLAIMS (INCLUDING NEGLIGENCE AND STRICT LIABILITY) OR ARISING UNDER OTHER THEORIES OF LAW WITH RESPECT TO PRODUCTS SOLD OR SERVICES RENDERED BY BADGER METER, OR ANY UNDERTAKINGS, ACTS OR OMISSIONS RELATING THERETO, AND
- (3) ALL CONSEQUENTIAL, INCIDENTAL AND CONTINGENT DAMAGES WHATSOEVER.

Making Water Visible®

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