



## Legislation Text

---

**File #:** 0924-2022, **Version:** 1

---

This legislation authorizes the Director of Public Utilities (DPU) to modify its contract with K & M Kleening Service, Inc. to provide janitorial services for the following DPU Division of Sewerage and Drainage (DOSD) facilities: Southerly Wastewater Treatment Plant, Jackson Pike Wastewater Treatment Plant, Compost Facility and the Sewer Maintenance Operations Center. Other sites may be added in the future.

The work to be performed under the contract includes cleaning services for office areas and industrial type areas such as storerooms, stock rooms, construction trailers, areas adjacent to garages, kitchens and break rooms. The contractor shall furnish any and all cleaners, disinfectants, waxes, wax stripping materials, wastebasket liners, toilet seat liners, sanitation products and any other products required to provide the cleaning services.

The Department of Public Utilities solicited competitive bids for the services in accordance with the relevant provisions of Chapter 329 of City Code (RFQ007794). 95 vendors were solicited. One (1) bid was received and publicly opened on 2/14/18. The sole bidder was K & M Kleening Service, Inc. The bidder incorrectly added a 1% contingency instead of the specified 10% contingency, which would fund needed and approved changes to the scope of work. The bidder's total cost was corrected to include the 10% contingency. The City Attorney reviewed the bid and it was decided to be in the best interest of the City to waive provisions of competitive bidding and enter into contract with K & M Kleening Service, Inc.

The original contract was for one (1) year to and including April 1, 2019. The contract language permits the Department of Public Utilities to renew the contract for three (3) additional years based upon mutual agreement of the parties, availability of budgeted funds, and approval of City Council. If unforeseen issues or difficulties are encountered that would require additional funding, a modification would be requested.

This proposed modification #1 is for an unplanned fifth year of the contract in response to unforeseen issues in advertising new bids. The modification will extend the contract through September 30, 2022.

1. Amount of additional funds: Total amount of additional funds needed for this contract modification number 1 is \$80,000.00. Total contract amount including this modification is \$1,085,307.14.

2. Reason additional funds were not foreseen: The additional unplanned year of the contract is due to unforeseen issues advertising new bids.

3. Reason other procurement processes not used: Work under this modification is a continuation of services included in the scope of the original bid contract. No lower pricing/more attractive terms and conditions are anticipated at this time.

4. How was cost determined: The cost, terms, and conditions are in accordance with the original agreement.

### **SUPPLIER:**

K & M Kleening Service, Inc. EIN #02-0553299, D365 Vendor #000077, Expires 4/30/24. K & M Kleening Service, Inc. holds MBE status.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

**FISCAL IMPACT:**

\$80,000.00 is budgeted and needed for this purchase as follows:

Labor:	\$80,000.00
Materials:	\$0.00
Total:	\$80,000.00

\$42,119.67 has been spent in 2022

\$251,186.91 was spent in 2021

\$269,375.31 was spent in 2020

**EMERGENCY DESIGNATION:**

This ordinance is being submitted as an emergency in order to avoid a lapse in critical janitorial services at various DPU, DOSD facilities. The requisite services were intended to be bid out this year, but a temporary delay in advertising bids has prevented the contract process from moving forward.

To authorize the Director of Public Utilities to modify and increase its contract with K & M Kleening Service, Inc. for janitorial services at various Department of Public Utilities, Division of Sewerage and Drainage facilities; to authorize the expenditure of \$80,000.00 from the Sewer Operating Sanitary Fund; and to declare an emergency. (\$80,000.00)

**WHEREAS**, there is a need for janitorial services for various Department of Public Utilities, Division of Sewerage and Drainage facilities, specifically at the Southerly Wastewater Treatment Plant, Jackson Pike Wastewater Treatment Plant, Compost Facility and the Sewer Maintenance Operations Center. Other department sites may be added in the future; and

**WHEREAS**, the Department of Public Utilities solicited competitive bids for janitorial services in accordance with the provisions of Chapter 329 of City Code; and

**WHEREAS**, one (1) bid was received and reviewed on 2/14/18, RFQ007794; and

**WHEREAS**, the sole bidder was K&M Kleening Service, Inc., which holds MBE status; and

**WHEREAS**, the bidder incorrectly added a 1% contingency instead of the specified 10% and the bidder's total cost was corrected to include the 10% contingency; and

**WHEREAS**, it was determined to be in the best interest of the City to waive competitive bidding and enter into contract with K&M Kleening Service, Inc.; and

**WHEREAS**, the original contract was for one (1) year to and including April 1, 2019, and the contract language allows the Department to renew the contract for three (3) additional years based upon mutual agreement of the parties, availability of budgeted funds, and approval of City Council; and

**WHEREAS**, if unforeseen issues or difficulties are encountered that would require additional funding, a modification would be requested; and

**WHEREAS**, the Department intended to bid out this contract at the end of the third renewal but a temporary delay in advertising bids has prevented the contract process from moving forward.

**WHEREAS**, the Department of Public Utilities wishes to modify the contract with K&M Kleening Service, Inc. to provide the necessary funding and extend the contract through September 30, 2022; and

**WHEREAS**, the expenditure of \$80,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6100, Sewer Operating Sanitary Fund, in object class 03, Services, per the accounting codes in the attachment to this ordinance; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that it is immediately necessary to authorize the Director of Public Utilities to modify its contract for janitorial services with K & M Kleening Service, Inc., without delay in order to avoid a lapse in critical janitorial services at various DPU, DOSD facilities, for the immediate preservation of the public health, peace, property and safety; now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Public Utilities is hereby authorized to modify and increase contract No. PO277734 with K & M Kleening Service, Inc., 1846 Federal Parkway, Columbus, Ohio 43207, for janitorial services at various Division of Sewerage and Drainage facilities. Total amount of Modification No. 1 is ADD \$80,000.00. Total contract amount including this modification is \$1,085,307.14. This modification will extend the contract through and including September 30, 2022.

**SECTION 2.** That this modification is in accordance with the relevant provisions of Chapter 329 of City Code relating to contract modifications.

**SECTION 3.** That the expenditure of \$80,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6100, Sewer Operating Sanitary Fund, in object class 03, Services, per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 5.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.