



## Legislation Details (With Text)

**File #:** 3170-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/8/2022      **In control:** Public Utilities Committee

**On agenda:** 12/12/2022      **Final action:** 12/14/2022

**Title:** To authorize the Director of the Department of Public Utilities to enter into a service contract with Synagro Central, LLC for the Hap Cremean Water Plant Sludge Removal - Lagoon 2 Project; to waive the provisions of Section 329 of the Columbus City Code, 1959 due to an error in the sole bidders' unit price; and to authorize an expenditure up to \$2,444,822.60 within the Water Operating Fund; for the Division of Water. (\$2,444,822.60)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 3170-2022 Bid Waiver, 2. Ord 3170-2022 Information, 3. Ord 3170-2022 Utilization, 4. Ord 3170-2022 Funding

Date	Ver.	Action By	Action	Result
12/14/2022	1	CITY CLERK	Attest	
12/13/2022	1	MAYOR	Signed	
12/12/2022	1	COUNCIL PRESIDENT	Signed	
12/12/2022	1	Columbus City Council	Read for the First Time	
12/12/2022	1	Columbus City Council	Approved	Pass
12/12/2022	1	Columbus City Council	Waive the 2nd Reading	Pass

**1.0 BACKGROUND:** This legislation authorizes the Director of the Department of Public Utilities to enter into a service contract with Synagro Central, LLC for the Hap Cremean Water Plant (“HCWP”) Sludge Removal - Lagoon 2 Project, in an amount up to \$2,444,822.60 for the Division of Water Contract Number 2340.

Work consists of removing sludge and grit from Lagoon No. 2, Cell A and hauling to beneficial reuse sites, and other such work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, special provisions, and City of Columbus Construction and Material specifications set forth in the Invitation For Bid (IFB).

The Community Planning Area is “99 - Citywide

**2.0 ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:**

The removal of sludge from lagoon 2 will restore storage capacity needed for emergency situations due to loss of pumping capabilities and for maintenance shutdown of the pumping equipment or conveyance line, extending the useful life of the lagoon and allowing for proper maintenance to be performed on the sludge pumping equipment and force main.

**3.0 SERVICE CONTRACT AWARD:** The Director of Public Utilities publicly opened one (1) bid on October 5, 2022 from Synagro Central, LLC.

**4.0 WAIVE COMPETITIVE BIDDING:** Synagro’s bid was deemed non-responsive due to an error, on their part, in bid pricing. Additionally, the Division of Water has negotiated terms in regards to the removal of 26 million pounds of

dry solids at a total cost of \$2,444,822.60. This contract price is based on a unit cost of \$0.07 per dry pounds removed, which is the unit cost that the bidder provided for both the base bid item and the two alternate bid items. Thus, the recommended contract price uses the “as bid” unit price and reflects only an adjustment to the contract quantity.

Synagro’s Contract Compliance Number is 76-0612568 (expires 7/8/23, Majority) and their DAX Vendor No. is 010213. Additional information regarding this bidder, description of work, contract time frame and detailed amount(s) can be found on the attached Information form.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Synagro Central, LLC.

**5.0 MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM:**

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 20% as assigned by the City’s Office of Diversity and Inclusion (ODI). After ODI’s review of the Utilization Plan and other related information the contractor submitted with their bid response, ODI has approved issuing this contract without an MBE/WBE Program goal. The contractor is not subject to following the “City’s Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual” or the terms and conditions of the “City of Columbus MBE/WBE Program Special Provision” that was part of the bid documents for this contract, nor is the contractor subject to the Penalties for Non-Compliance described in either of those documents.

**6.0 FISCAL IMPACT:** There are sufficient funds within the Water Operating Fund No. 6000.

To authorize the Director of the Department of Public Utilities to enter into a service contract with Synagro Central, LLC for the Hap Cremean Water Plant Sludge Removal - Lagoon 2 Project; to waive the provisions of Section 329 of the Columbus City Code, 1959 due to an error in the sole bidders' unit price; and to authorize an expenditure up to \$2,444,822.60 within the Water Operating Fund; for the Division of Water. (\$2,444,822.60)

**WHEREAS**, one (1) bid for the HCWP Sludge Removal - Lagoon 2 Project was received and publicly opened in the offices of the Director of Public Utilities on October 5, 2022; and

**WHEREAS**, the sole bid received from Synagro Central, LLC was deemed non-responsive due to an error, on their part, in bid pricing; and

**WHEREAS**, the Public Utilities Department, and Synagro negotiated a contract with terms, conditions, and pricing acceptable to all; and

**WHEREAS**, the Director of Public Utilities believes it is in the City's best interest to waive the provisions of Section 329 of the Columbus City Code, 1959, competitive bidding, in order to award the service contract to Synagro Central, LLC under the negotiated terms, conditions, and pricing acceptable to all; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to encumber and expend funds to provide for payment of prevailing wage services associated with said project; and

**WHEREAS**, it has become necessary in the usual daily operation of the Division of Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a service contract with Synagro Central, LLC for the HCWP Sludge Removal - Lagoon 2, for the 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 the Department of Public Utilities is hereby authorized to enter into a service contract for the HCWP Sludge Removal - Lagoon 2 Project with Synagro Central, LLC (FID #76-0612568), 435 Williams CT. Suite 100, Baltimore, MD 21220, in an amount up to \$2,444,822.60; in accordance with the terms and conditions of the contract on file in the Office of the Division of Water.

**SECTION 2.** That said company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Water.

**SECTION 3.** That this Council finds it in the best interest of the City of Columbus to waive the provisions of Section 329 of the Columbus City Code, 1959, in order to contract with Synagro Central, LLC for the HCWP Sludge Removal - Lagoon 2 Project, and such provisions are hereby waived.

**SECTION 6.** That the expenditure of 2,444,822.60, or so much thereof as may be needed, is hereby authorized in Fund 6000 - Water Operating Fund, in Object Class 03, per the accounting codes in the attachment to this ordinance.

**SECTION 7.** 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 8.** That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

**SECTION 9.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 10.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

**SECTION 11.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.