



## Legislation Details (With Text)

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**File #:** 2573-2014      **Version:** 1

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

**File created:** 10/31/2014      **In control:** Finance Committee

**On agenda:** 11/17/2014      **Final action:** 11/21/2014

**Title:** To authorize the Finance and Management Director to modify and extend a contract, on behalf of the Fleet Management Division, with Gresham, Smith and Partners; to authorize the expenditure of \$250,000.00 from the Fleet Management Division's Bond Fund; and to declare an emergency. (\$250,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
11/21/2014	1	CITY CLERK	Attest	
11/21/2014	1	MAYOR	Signed	
11/17/2014	1	COUNCIL PRESIDENT	Signed	
11/17/2014	1	Columbus City Council	Approved	Pass

This ordinance authorizes the Department of Finance and Management, Fleet Management Division, to modify and extend its existing contract with Gresham, Smith and Partners for implementation of an Environmental Management System (EMS). The original contract EL014835 was established pursuant to ordinance 0777-2013.

The Fleet Management Division has determined that additional funds and services are needed from Gresham, Smith and Partners, that though included within the scope of the current contract, are not sufficiently budgeted within the current contract. Specifically activities associated with the establishment of document control processes, employee training and planning, and the implementation of environmental management plans. Additionally, the development of Spill Prevention, Control and Countermeasure (SPCC) plans which are required by the federal EPA and are needed for various city locations to ensure ongoing compliance of city operations related to maintenance and fueling activities.

An SPCC plan must be prepared for all facilities that are subject to EPA regulation, which in the case of the city is any facility that has on-site storage of an above-ground petroleum or fuel tank that is 1,320 gallons or greater. The purpose of an SPCC plan is to help prevent any discharge of petroleum or oil into navigable waters or adjoining shorelines. The main thrust of the SPCC regulation is prevention, as opposed to after-the-fact reactive measures commonly described in oil spill contingency plans.

These plans become part of the front-line management tools for administering EMS compliance. Once implemented, these SPCC plans will aid the sites in managing their location's environmental compliance activities, specifically in areas of spill hazard assessment, planning, training, and response.

The overall EMS program will ensure that the city remains in compliance with environmental rules and regulations by including comprehensive staff training on the applicable laws. Furthermore, the EMS will allow for the city to better prepare for environmental risks and respond to emergencies if they occur.

**Principal Parties:**

GS&P/OH, Inc. (Gresham, Smith and Partners)

Contract compliance number 62-1736493, expires 1/10/16

**Emergency action** is requested in order to expedite the development of SPCC plans to ensure that the city is in compliance with environmental rules and regulations.

**Fiscal Impact:** The estimated cost of this modification is \$250,000.00. Funds are available in the Fleet Management Division's Fuel Tank Management project in the capital improvement budget.

To authorize the Finance and Management Director to modify and extend a contract, on behalf of the Fleet Management Division, with Gresham, Smith and Partners; to authorize the expenditure of \$250,000.00 from the Fleet Management Division's Bond Fund; and to declare an emergency. (\$250,000.00)

**WHEREAS**, in the interest of mitigating environmental risks and remaining in compliance with environmental rules and regulations, the Department of Finance and Management, Fleet Management Division, has entered into Contract EL014835 with Gresham, Smith and Partners for services related to the execution of an environmental audit of city fuel and generator sites and the development of an environmental management system; and

**WHEREAS**, it is necessary to modify and extend Contract EL014835 in order to proceed with the development of Spill Prevention, Control and Countermeasure (SPCC) plans; and

**WHEREAS**, Gresham, Smith and Partners has previously and successfully completed a similar project for the Department of Public Utilities; and

**WHEREAS**, an emergency exists in the usual daily operation of the Fleet Management Division in that it is immediately necessary to modify the existing contract with Gresham, Smith and Partners to ensure the City is in compliance with environmental rules and regulations, thereby preserving the public health, peace, property, safety and welfare; NOW, THEREFORE:

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

**SECTION 1.** That the Finance and Management Director, on behalf of the Fleet Management Division, is hereby authorized to modify and extend a contract with Gresham, Smith and Partners for the development of SPCC plans.

**SECTION 2.** That the expenditure of \$250,000.00, or so much thereof as may be necessary in regard to the action authorized in Section 1, be and is hereby authorized and approved as follows:

Division: 45-05

Fund: 513

Subfund: 002

Capital Project: 550005 - 100000

Capital Project Name: Fuel Tank Management (Fleet Management unvoted)

OCA: 513050

Object Level 1: 06

Object Level 3: 6621

Amount: \$250,000.00

**SECTION 3.** That the monies in the foregoing Sections shall be paid upon order of the Director of Finance and Management, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 4.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account 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 are no longer required for said project, except that no transfer shall be so made from a project account funded by monies from more than one source.

**SECTION 5.** 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 legislation.

**SECTION 6.** That for the reasons stated in the preamble hereto, which is hereby made a part thereof, 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 10 days after passage if the Mayor neither approves nor vetoes the same.