



Legislation Details (With Text)

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Title: To authorize the Director of Public Service to modify, increase and extend the existing contract with Performance Site Environmental; to cancel encumbrance EL008129; to amend the 2012 C.I.B; to authorize the encumbrance and expenditure of monies with the Refuse G.O Bond Fund and the General Permanent Improvement Fund for the Department of Public Service; and declare an emergency. (\$202,165.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/6/2012	1	MAYOR	Signed	
6/6/2012	1	CITY CLERK	Attest	
6/4/2012	1	COUNCIL PRESIDENT	Signed	
6/4/2012	1	Columbus City Council	Approved	Pass

1. BACKGROUND:

This legislation authorizes the Director of Public Service to modify, increase and extend the existing contract with Performance Site Environmental LLC for the location, control, capture, and disposal of escaped bio-diesel fuel, contaminated water, contaminated soil; and the reclamation of the property located at 2100 Alum Creek Drive, Columbus, Ohio 43207, to the standards established by the Ohio Environmental Protection Agency and the Bureau of Underground Storage Tank Regulations. This contract was authorized with the September 24, 2007, Mayor's Emergency in the amount of \$400,000.00.

Ordinance 0588-2008 extended this contract through December 31, 2011, increased the contract amount by an additional \$788,000.00 and established purchase order EL008129 which is now expired with a remaining balance of \$177,165.00.

This legislation is to cancel purchase order EL008129 and to extend the contract through December 31, 2013 with the option to extend the contract for one additional year through December 31, 2014, subject to councilmanic approval, and increases the contract amount by an additional \$25,000.00 to a total contract amount of \$1,213,000.00.

This ordinance authorizes the encumbrance and expenditure of \$202,165.00 or so much thereof as may be necessary for this purpose.

2. CONTRACT COMPLIANCE

Performance Site Environmental LLC's contract compliance number is 205433318 and expires: 12/7/2013.

3. FISCAL IMPACT

Funding for this project is available within the Refuse G.O. Bond Fund no. 703, and the General Permanent Improvement Fund no. 748. C.I.B amendments are necessary to move monies and authority to the appropriate project.

4. EMERGENCY ACTION

Emergency action is requested in order to reimburse Performance Site Environmental for costs incurred in locating, controlling, capturing, and disposing of escaped bio-diesel fuel, contaminated water, and contaminated soil; reclaiming the property to the standards established by the Ohio Environmental Protection Agency and the Bureau of Underground Storage Tank Regulations; inspecting and upgrading the Division's fueling systems; and to reimburse the OhioEPA, the Bureau of Underground Storage Tank Regulations, the Department of Public Utilities, and other entities for services rendered, fines, and other unknown expenses.

To authorize the Director of Public Service to modify, increase and extend the existing contract with Performance Site Environmental; to cancel encumbrance EL008129; to amend the 2012 C.I.B; to authorize the encumbrance and expenditure of monies with the Refuse G.O Bond Fund and the General Permanent Improvement Fund for the Department of Public Service; and declare an emergency. (\$202,165.00)

WHEREAS, the Division of Refuse Collection determined that a bio-diesel fuel tank was leaking at 2100 Alum Creek Drive, Columbus, Ohio 43207, and

WHEREAS, it is necessary to extend the contract with Performance Site Environmental to locate, control, capture and dispose of escaped bio-diesel fuel pursuant to the Mayor's Emergency Letter dated September 24, 2007, and

WHEREAS, it is necessary to amend the 2012 C.I.B. and transfer funds to the appropriate project within the Refuse G.O. Bonds Fund and the General Permanent Improvement Fund; and

WHEREAS, it is necessary to authorize this expenditure in order to provide adequate operating resources for the Division Refuse Collection; and

WHEREAS, an emergency exists in the usual daily operation of the Department Public Service, Division of Refuse Collection in that it is immediately necessary to authorize the purchase order with Performance Site Environmental LLC to allow for services to continue 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 Director of Public Service is authorized to modify, increase and extend the existing contract with Performance Site Environmental for services rendered, fines, and other expenses on behalf of the Division of Refuse Collection to mitigate environmental and damage at 2100 Alum Creek Drive, caused by the accidental discharge of bio-diesel fuel leaking from a fuel tank. The contract is extended through December 31, 2013 with the option to extend the contract for one additional year through December 31, 2014, subject to councilmanic approval.

SECTION 2. That the City Auditor is authorized to cancel purchase order EL008129, returning monies to:

Fund / Dept - Div / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount
703 / 59-02 / 520004-100000 / Alum Creek Remediation / 06-6602 / 703004 / \$177,164.14

SECTION 3. That the 2012 Capital Improvement Budget authorized by Ordinance 0368-2012 be amended due to the cancellation described in Section 2 as follows:

Fund / Dept - Div / Project / Project / Current CIB Amount / amendment amount / CIB amount as amended
703 / 59-02 / 520004-100000 / Alum Creek Remediation (Carryover) / \$0.00 / \$177,165.00 / \$177,165.00

SECTION 4. That the 2012 Capital Improvement Budget authorized by Ordinance 0368-2012 be amended as follows to provide sufficient authority for this project:

Fund / Project / Project / Current CIB Amount / amendment amount / CIB amount as amended
748 / 748592-100000 (General Permanent Improvement Carryover) / Refuse General / \$350,000 / -\$25,001 / \$324,999.00
748/ 520004-100000 (General Permanent Improvement Carryover) / Alum Creek Remediation / \$0 / \$25,001.00 / \$25,001.00

SECTION 5. That the transfer of Cash and and appropriation within the General Permanent Improvement Fund, number 748, be authorized as follows:

FROM:

Fund / Dept - Div / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

748 / 59-02 / 748592-100000 / Refuse General / 06-6602 / 06-6602 / 748592 / \$25,000.86

TO:

Fund / Dept. - Div. / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

748 / 59-02 / 520004-100000 / Alum Creek Remediation / 06-6602 / 748004 / \$25,000.86

SECTION 6. That the Director of Public Service is authorized to encumber and expend \$202,165.00 or so much thereof as may be necessary for this purpose.

Fund / Dept. - Div. / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

703 / 59-02 / 520004-100000 / Alum Creek Remediation / 06-6602 / 703004 / \$177,164.14

748 / 59-02 / 520004-100000 / Alum Creek Remediation / 06-6602 / 06-6602 / 748004 / \$25,000.86

SECTION 7. 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 8. 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 approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.