



Legislation Details (With Text)

File #: 2032-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/3/2020 **In control:** Public Utilities Committee

On agenda: 10/12/2020 **Final action:** 10/15/2020

Title: To authorize the Director of the Department of Public Utilities to modify, increase and extend a contract with TFH-EB, Inc., dba The Waterworks, for the Project Dry Basement: Backwater Valve Installation and Sump Pump program for the Division of Sewerage and Drainage, to authorize the expenditure of \$250,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$250,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 2032-2020 Financial Coding - Project Dry Basement - Mod #2, 2. ORD 2032-2020 Project Dry Basement - Mod #2 - Addt'l Info form

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------------|----------|--------|
| 10/15/2020 | 1 | ACTING CITY CLERK | Attest | |
| 10/14/2020 | 1 | MAYOR | Signed | |
| 10/12/2020 | 1 | COUNCIL PRESIDENT | Signed | |
| 10/12/2020 | 1 | Columbus City Council | Approved | Pass |

This legislation authorizes the Director of the Department of Public Utilities to enter into contract modification No. 2 with TFH-EB, Inc., dba The Waterworks for the Project Dry Basement: Backwater Valve Installation and Sump Pump program for the Division of Sewerage and Drainage. The goal of this project is designed to prevent sewer backups in single and two-family homes in Columbus due to surcharging in city sewers from heavy rain or sewer blockages by protecting the home up to the top of casting of the nearest upstream manhole with a Spears or preapproved backwater valve, which allows use of plumbing fixtures above that elevation in the remainder of the home. Only homes deemed eligible by the City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage qualify for this project. Under this project an eligible home with an interior perimeter foundation drain connection to the lateral is also eligible, at the owner's option for the installation of a sump pump that will redirect the foundation drainage away from the sanitary lateral to the sump pump and then discharge that drainage away from the house. This contract was estimated to last 3 years. It was estimated that 120 valves (40/per year) and 60 sump pumps (20/per year) would be installed during the 3 year term of the contract which is due to expire on December 12, 2020. With the recent rains there has been an upsurge of 763 new application requests sent out and 510 applications returned since March of this year, with more coming in on a regular basis.

The Department of Public Utilities solicited competitive bids for the subject project in accordance with the relevant provisions of Chapter 329 of City Code relating to construction contracts. Three (3) bids (3 MAJ) were received on May 31, 2017. TFH-EB, Inc., dba The Waterworks was determined to be the lowest, responsive, responsible and best bidder.

This contract covers a three year period from the date of execution through December 12, 2020. This modification No. 2 is to add funding for needed repairs and to extend the term of the contract through February 28, 2021 to allow enough time to bid and award a new contract for this service. If unforeseen issues or difficulties are encountered that would require additional funding, a modification would be requested.

SUPPLIER: TFH-EB, Inc., dba The Waterworks, FID #31-1162504, DAX #004777, Expires October 21, 2021
TFH-EB, Inc., dba The Waterworks does not hold MBE/FBE 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.

1. Amount of additional funds: Total amount of additional funds needed for this modification No. 2 is \$250,000.00. Total contract amount including this modification is \$1,329,886.00.
2. Reason additional funds were not foreseen: The need for additional funds were not expected as the original contract was for 3 years with all of the money set-up at that time. With the recent rains there has been an upsurge of 763 application requests sent out and 510 applications returned since March of this year with more coming in on a regular basis.
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.

FISCAL IMPACT: \$250,000.00 is needed for this modification. \$108,000.00 was budgeted for this expense in 2020 based on prior spending history. Budget priorities will be reviewed and shifted to cover the additional costs of this expense.

\$125,740.11 was spent in 2019
\$263,905.42 was spent in 2018

EMERGENCY DESIGNATION: This legislation is being submitted as an emergency due to the high volume of backlogged application requests still needing to be worked and to allow for the work to continue without any lapse in service, while a new contract is bid and awarded.

To authorize the Director of the Department of Public Utilities to modify, increase and extend a contract with TFH-EB, Inc., dba The Waterworks, for the Project Dry Basement: Backwater Valve Installation and Sump Pump program for the Division of Sewerage and Drainage, to authorize the expenditure of \$250,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$250,000.00)

WHEREAS, bids for the Project Dry Basement: Backwater Valve Installation and Sump Pump program were received by the Director of Public Utilities and opened on May 31, 2017; and

WHEREAS, the Division of Sewerage and Drainage recommended that an award be made to the lowest, responsive, and best bidder, TFH-EB, Inc., dba The Waterworks, and

WHEREAS, this contract covers a three year period from the date of execution through December 12, 2020, and

WHEREAS, the Department of Public Utilities now wishes to modify, increase and extend contract No. PO096243 with TFH-EB, Inc., dba The Waterworks, for the Project Dry Basement: Backwater Valve Installation and Sump Pump program to provide additional funding for needed repairs and to extend the contract through February 28, 2021 while a new contract is bid and awarded; and

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

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that, due to the high volume of backlogged application requests still needing to be worked, and to avoid any lapse in service while a new contract is bid and awarded, it is immediately necessary to authorize the Director of Public Utilities to modify, increase and extend the contract with TFH-EB, Inc., dba The Waterworks, for the Project Dry Basement: Backwater Valve Installation and Sump Pump program to allow the work to continue without delay, 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 Public Utilities be and is hereby authorized to modify, increase and extend its contract No. PO096243 with TFH-EB, Inc., dba The Waterworks, 550 Schrock Road, Columbus, Ohio 43229, for the Project Dry Basement: Backwater Valve Installation and Sump Pump program, in accordance with the terms and conditions on file in the Office of the Division of Sewerage and Drainage. The amount of modification No. 2 is ADD \$250,000.00. Total contract amount including this modification is \$1,329,886.00. The term of this contract is extended through February 28, 2021.

SECTION 2. That said firm shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

SECTION 3. That this modification is in accordance with the relevant provisions of Chapter 329 of City Code relating to contract modifications and renewals.

SECTION 4. That the expenditure of \$250,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6100 Sewerage System Operating Fund in object class 02 Materials & Supplies in the amount of \$90,000.00 and 03 Services in the amount of \$160,000.00, per the accounting codes in the attachment to this ordinance.

SECTION 5. 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 6. 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.