



## Legislation Details (With Text)

**File #:** 2124-2014      **Version:** 1

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

**File created:** 9/11/2014      **In control:** Public Utilities Committee

**On agenda:** 10/6/2014      **Final action:** 10/9/2014

**Title:** To authorize the Director of Public Utilities to modify and increase a service agreement with Environmental Systems Corporation for the purchase of Software Support and Maintenance for the Division of Sewerage and Drainage in accordance with the pertinent provisions of Sole Source procurement of the Columbus City Code, to authorize the expenditure of \$8,036.58 from the Sewerage System Operating Fund, and to declare an emergency. (\$8,036.58)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 2124-2014 ESC Proposal, 2. ORD 2124-2014 ESC Info form, 3. ORD 2124-2014 ESC-27230 Single Source Letter, 4. ORD 2124-2014 ESC Sole Source

Date	Ver.	Action By	Action	Result
10/9/2014	1	CITY CLERK	Attest	
10/8/2014	1	MAYOR	Signed	
10/6/2014	1	COUNCIL PRESIDENT	Signed	
10/6/2014	1	Columbus City Council	Approved	Pass

The purpose of this legislation is to authorize the Director of Public Utilities to modify and increase a service agreement with Environmental Systems Corporation for software support and maintenance for the StackVision DASProtect Sentry for the Division of Sewerage and Drainage.

The DASProtect Sentry is a comprehensive support and maintenance plan for the StackVision and data controller products which are utilized to monitor and report stack emissions of the incinerator smoke stacks at the Jackson Pike and Southerly Wastewater Treatment Plants. This monitoring and reporting of stack emissions helps the treatment plants meet their environmental compliance objectives to remain EPA compliant.

Environmental Systems Corporation is the developer of the software and provides all support and maintenance of the software. This legislation is being submitted in accordance with the pertinent Sole Source provisions of Section 329 of the Columbus City Code.

The combined total of the quotes for the purchase of support and maintenance for both treatment plants has exceeded the \$20,000.00 threshold limit. Southerly Wastewater Treatment Plant had already established a purchasing document for their service agreement with the company, for 2014. Due to this fact, when it was time for the Jackson Pike Wastewater Treatment Plant to establish a purchasing document for their annual service agreement there was not enough funds available under the \$20,000 threshold limit. The necessary funding has been established to provide for support and maintenance from March 1, 2014 through July 31, 2014. It is now necessary to establish additional funding for the time period of August 1, 2014 through February 28, 2015.

**SUPPLIER:** Environmental Systems Corporation (62-0807987), Expires July 7, 2016.

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 contract modification No. 1 is \$8,036.58. Total contract amount including this modification is \$13,777.00.
2. Reason additional funds were not foreseen: Additional funds were foreseen, but due to the fact that the total cost for both Treatment Plants combined exceeds the \$20,000.00 threshold limit, a portion of the yearly cost is required to be legislated.
3. Reason other procurement processes were not used: Work under this modification is a continuation of services included in the scope of the original agreement.
4. How was the cost determined: The total cost for the annual support and maintenance for Jackson Pike is \$13,777.00. The billing was divided into two periods so that part of the coverage could be established and paid for without delay while the balance of the yearly coverage cost is being legislated.

**FISCAL IMPACT:** \$8,036.58 is needed for this software support and maintenance service agreement. Budgeted funds will be reprioritized to cover the cost of this service agreement.

\$34,884.00 was spent in 2013

\$27,554.00 was spent in 2012

**EMERGENCY DESIGNATION:** This ordinance is being submitted as an emergency so as to allow for the payment of the coverage period without delay to avoid the potential of the vendor not providing the necessary software support and maintenance needed to maintain the monitoring and reporting of stack emissions that helps the treatment plants meet their environmental compliance objectives to remain EPA compliant.

To authorize the Director of Public Utilities to modify and increase a service agreement with Environmental Systems Corporation for the purchase of Software Support and Maintenance for the Division of Sewerage and Drainage in accordance with the pertinent provisions of Sole Source procurement of the Columbus City Code, to authorize the expenditure of \$8,036.58 from the Sewerage System Operating Fund, and to declare an emergency. (\$8,036.58)

**WHEREAS,** the Jackson Pike and Southerly Wastewater Treatment Plants monitor and report stack emissions of the incinerator smoke stacks to help meet their environmental compliance objectives to remain EPA compliant, and

**WHEREAS,** the DASProtect Sentry is a comprehensive support and maintenance plan for the StackVision and data controller products, which are utilized to monitor and report stack emissions of the incinerator smoke stacks, at the Jackson Pike and Southerly Wastewater Treatment Plants, and

**WHEREAS,** the combined total for the purchase of Software Support and Maintenance for both treatment plants has exceeded the yearly \$20,000.00 threshold limit, and

**WHEREAS,** Southerly Wastewater Treatment Plant has already established a purchasing document with the company, for 2014, and

**WHEREAS,** due to the \$20,000.00 threshold limit Jackson Pike Wastewater Treatment Plant was unable to establish a purchasing document for the entire year. The necessary funding has been established to provide for support and maintenance from March 1, 2014 through July 31, 2014. It is now necessary to modify and increase ED050201 to

establish additional funding for the time period of August 1, 2014 through February 28, 2015, and

**WHEREAS**, Environmental Systems Corporation is the developer of the software and provides the support and maintenance of the software, and

**WHEREAS**, the Division of Sewerage and Drainage is requesting this agreement to be established in accordance with the pertinent provisions of Sole Source procurement of Section 329 of the Columbus City Code, 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 modify and increase the service agreement with Environmental Systems Corporation to allow for the payment of the coverage period without delay to avoid the potential of the vendor not providing the necessary software support and maintenance needed to maintain the monitoring and reporting of stack emissions that helps the Jackson Pike Treatment Plant meet its environmental compliance objectives to remain EPA compliant; 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 and increase service agreement ED050201 with Environmental Systems Corporation, 10801 N. Mopac Expressway, Building 1, Suite 200, Austin, Texas 78759, for Software Support and Maintenance for the Division of Sewerage and Drainage. Total amount of modification No. 1 is ADD \$8,036.58. Total contract amount including this modification is \$13,777.00.

**SECTION 2.** That this modification is in accordance with the pertinent Sole Source provisions of Section 329 of the Columbus City Code.

**SECTION 3.** That the expenditure of \$8,036.58 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund 650, Department 60-05, to pay the cost of this contract as follows:

OCA: 605022

Object Level 1: 03

Object Level 03: 3369

**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.