



## Legislation Details (With Text)

**File #:** 0697-2023      **Version:** 1

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

**File created:** 2/27/2023      **In control:** Public Utilities Committee

**On agenda:** 4/17/2023      **Final action:** 4/20/2023

**Title:** To authorize the Director of the Department of Public Utilities to modify and extend the contract with Performance Consulting Services, Inc. for training services; to waive the competitive bidding provisions of the City Code; and to authorize the expenditure of \$95,000.00 from the from Electricity Operating Fund, the Water Operating Fund, the Sewer System Operating Fund, and the Stormwater Operating Fund. (\$95,000.00)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Ord 0697-2023 Addt'l Info Memo, 2. Ord 0697-2023 Financials, 3. Ord 0697-2023 Bid Waiver, 4. proprietary memo

Date	Ver.	Action By	Action	Result
4/20/2023	1	CITY CLERK	Attest	
4/19/2023	1	MAYOR	Signed	
4/17/2023	1	COUNCIL PRESIDENT PRO-TEM	Signed	
4/17/2023	1	COUNCIL PRESIDENT PRO-TEM	Signed	
4/17/2023	1	Columbus City Council	Approved	Pass
4/3/2023	1	Columbus City Council	Read for the First Time	

This ordinance authorizes the Director of Public Utilities to modify and extend contract PO300588 with Performance Consulting Services, Inc. (PCS) for training services for the Department of Public Utilities (DPU). The Evolving Leader Development (ELD) Initiative is designed to provide tools, strategies and techniques to increase depth and capacity in becoming a more impactful leader through professional self-awareness and confidence, individual and workplace team engagement and management and organizational success outcomes. The Department of Public Utilities had previous agreements with Performance Consulting Services for The Evolving Leader Development program and wishes to continue with this program.

Due to the proprietary nature of the Performance Consulting Services trainings that are listed in the Scope of Work which are specific to the Department of Public Utilities, it is in the best interest of the City to waive the provisions of competitive bidding and enter into contract with Performance Consulting Services.

The original contract was established from date of execution by the City to completion by the vendor. Due to the proprietary nature of the trainings, this ordinance is being submitted in accordance with the relevant provisions of Chapter 329 of the City Code pertaining to the waiver of competitive bidding. All other terms and conditions of the original agreement remain in full force and effect. This modification No. 1 includes an extension of time and an additional \$95,000.00 (includes contingency funds of \$2,904.36). If unforeseen issues or difficulties are encountered that would require additional funding, a modification would be requested and is subject to and conditioned upon the approval of City

Council, and appropriation and certification of funds by the City Auditor.

**SUPPLIER:** Vendor Name: Performance Consulting Svcs, Inc. V# 005148 CC#:31-1351402 Expires: 12/31/2024 (MBE 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 contract modification No.1 is ADD \$95,000.00 (includes contingency funds of \$2,904.36). Cumulative total contract amounts including this modification No. 1 is \$230,530.00.

2. Reason additional funds were not foreseen: The need for additional funds was not known at the time of the initial contract. The Department wishes to continue with the Evolving Leader Development program. This modification No. 1 is to extend and provide the additional funding for this training.

3. Reason other procurement processes were not used: Work under this modification No. 1 is a continuation of services included in the scope of the original contract. No lower pricing/more attractive terms and conditions are anticipated at this time.

4. How was cost determined: The cost was agreed upon the Department of Public Utilities and the vendor.

**Fiscal Impact:** \$95,000.00 (includes contingency funds of \$2,904.36) sufficient funding has been identified within the Dept. of Public Utilities for these expenditures.

\$40,056.72 was spent in 2022

\$ 1,500.00 was spent in 2021

To authorize the Director of the Department of Public Utilities to modify and extend the contract with Performance Consulting Services, Inc. for training services; to waive the competitive bidding provisions of the City Code; and to authorize the expenditure of \$95,000.00 from the from Electricity Operating Fund, the Water Operating Fund, the Sewer System Operating Fund, and the Stormwater Operating Fund. (\$95,000.00)

**WHEREAS,** the Department of Public Utilities is in need of modifying and extending the contract with Performance Consulting Services for the purpose of providing training services and training materials for the Department of Public Utilities; and

**WHEREAS,** due to the proprietary nature of the Performance Consulting Services trainings that are listed in the Scope of Work and are specific to the Dept. of Public Utilities, it is in the City's best interest to waive competitive bidding relevant to provisions of Chapter 329 of City Code and enter into contract with Performance Consulting Services; and

**WHEREAS,** the vendor has agreed to modify and extend contract No. PO300588 at current prices and conditions, and it is in the best interest of the City to exercise this option; and

**WHEREAS,** the term of this modification No. 1 is from the date of execution by the City of Columbus until completion. This contract includes language for the establishment of a contingency fund in the amount of \$2,904.36 to be used as necessary if there is a need identified outside the scope of the material or training service agreement. If unforeseen issues or difficulties are encountered that would require additional funding, a modification would be requested and is subject to and conditioned upon the approval of City Council, and appropriation and certification of funds by the City Auditor. This

contract shall not automatically renew; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Director to enter into an agreement with Performance Consulting Service to provide training services and training materials for The Evolving Leader Development Training Initiative for the Department of Public Utilities; **NOW, THEREFORE**,

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

**SECTION 1.** That the Director of the Department of Public Utilities be and is hereby authorized to enter into contract modification No. 1 for training services with Performance Consulting Services, Inc., 131 Franklin Park West, Columbus, OH 43205, in accordance with the terms on file in the office of the Department of Public Utilities.

**SECTION 2.** The said firm shall conduct the work to the satisfaction of the Director of Public Utilities.

**SECTION 3.** That this Council finds it in the best interest of the City to waive the competitive bidding provisions of Chapter 329 of the City Code for the contract modification with Performance Consulting Services, Inc.

**SECTION 4.** That the expenditure of \$95,000.00, or so much thereof as may be needed, is hereby authorized 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 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 7.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.