



Legislation Details (With Text)

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File created: 2/5/2024 **In control:** Public Utilities & Sustainability Committee

On agenda: 2/26/2024 **Final action:** 2/29/2024

Title: To authorize the Director of the Department of Public Utilities to modify contracts with Ohio Mulch Supply, Inc. and Quasar Energy Group LLC-North Tree Farm for the Deep Row Hybrid Poplar Tree Farm #2 Program; to authorize the expenditure of \$3,600,000.00 from the Sanitary Sewerage Operating Fund; and to declare an emergency. (\$3,600,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 0442-2024 Financial Coding, 2. ORD 0442-2024 Information

Date	Ver.	Action By	Action	Result
2/29/2024	1	CITY CLERK	Attest	
2/28/2024	1	MAYOR	Signed	
2/26/2024	1	COUNCIL PRESIDENT	Signed	
2/26/2024	1	Columbus City Council	Approved	Pass

BACKGROUND: To authorize the Director of Public Utilities to modify to increase funding for contracts with Ohio Mulch Supply, Inc. and Quasar Energy Group LLC-North Tree Farm for the Deep Row Hybrid Poplar Tree Farm #2 Program to provide for additional services through July 31, 2025.

The City of Columbus Department of Public Utilities (DPU), Division of Sewerage and Drainage (DOSD) produces Class B biosolids in accordance with ORC 3745-40 at both Jackson Pike and Southerly Wastewater Treatment Plants. The City has committed to 100% beneficial reuse of its biosolids.

This contract will function as a mechanism to facilitate Class B biosolids disposal via an Ohio Environmental Protection Agency (OEPA) approved Deep Row Hybrid Poplar (DRHP) or other approved rapid growth tree farm. The selected entity shall demonstrate compliance with all applicable rules and regulations related to biosolids handling and disposal, land development, land reclamation, and environmental permitting.

The Department of Public Utilities solicited competitive bids for the Deep Row Hybrid Poplar Tree Farm #2 Program in accordance with the relevant provisions of Chapter 329 (RFQ022646). Two contracts were established and authorized under Ordinance #0095-2023 for \$1,840,000.00. Ordinance #1875-2023 Modification #1 and Ordinance #2984-2023 Modification #2 was for 2023 funding. This Ordinance is to add funding for the 2024 budget year and to renew and extend the contract.

This legislation seeks to modify the contracts to add funding to provide for an increase in services through the term of the contract. This Ordinance is being submitted in accordance with the relevant provisions of Chapter 329 of City Code pertaining to contract modifications.

EMERGENCY DESIGNATION: The Department of Public Utilities respectfully requests this legislation be considered as an emergency due to an increase in services and to authorize the renewals prior to the expiration of the

original contract terms, which is March 10, 2024.

SUPPLIERS:

Ohio Mulch Supply, Inc., vendor #004715, cc# expires 12/14/23 (update pending), majority status
Quasar Energy Group LLC-North Tree Farm, vendor #018416, cc# expires 10/14/24, majority status

The companies are 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 the contract is \$3,600,000.00. Total contract amount including this modification is \$7,380,000.00.
2. Reasons additional funds were not foreseen: This indefinite quantity contract allows for additional funds to be added as needed. This funding increase is to provide the additional funding due to an increase in services to be provided through July 31, 2025.
3. Reason other procurement processes were not used: The pricing was obtained through a formal bid (RFQ022646) and awarded to the two bidders that met the specifications.
4. How cost was determined: The cost, terms and conditions are in accordance with the request for quotations (RFQ022646) received on September 28, 2022.

FISCAL IMPACT: \$3,600,000.00 is budgeted and needed for this purchase. **This ordinance is contingent on the passage of the 2024 Operating Budget, Ordinance 3012-2023.**

\$3,817,203.32 was spent in 2023
\$1,400,119.18 was spent in 2022

To authorize the Director of the Department of Public Utilities to modify contracts with Ohio Mulch Supply, Inc. and Quasar Energy Group LLC-North Tree Farm for the Deep Row Hybrid Poplar Tree Farm #2 Program; to authorize the expenditure of \$3,600,000.00 from the Sanitary Sewerage Operating Fund; and to declare an emergency. (\$3,600,000.00)

WHEREAS, the Department of Public Utilities entered into contracts for Deep Row Hybrid Poplar Tree Farm #2 Program in accordance with Chapter 329 of the Columbus City Code, pursuant to solicitation RFQ022646, with Ohio Mulch Supply, Inc. and Quasar Energy Group LLC-North Tree Farm; and

WHEREAS, the Department of Public Utilities wishes to modify the contracts with Ohio Mulch Supply, Inc. and Quasar Energy Group LLC-North Tree Farm for the Deep Row Hybrid Poplar Tree Farm #2; and

WHEREAS, the vendors have agreed to renew and to modify to increase the contracts under current prices and conditions; 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 authorize the Director of Public Utilities to modify the contracts with Ohio Mulch Supply, Inc. and Quasar Energy Group LLC-North Tree Farm for the Deep Row Hybrid Poplar Program due to an increase in services and to authorize the contract renewals prior to the expiration of the original terms of March 10, 2024, all for the immediate 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 the Department of Public Utilities be and is hereby authorized to modify the contracts for the Deep Row Hybrid Poplar Program with Ohio Mulch Supply, Inc. and Quasar Energy LLC-North Tree Farm per the terms and conditions of RFQ022646 on file in the Department of Public Utilities.

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

SECTION 3. This legislation seeks to modify the contracts to add funding to provide for an increase in services through the term of the contract. This Ordinance is being submitted in accordance with the relevant provisions of Chapter 329 of City Code pertaining to contract modifications.

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 the expenditure of \$3,600,000.00 is authorized in Fund 6100 (Sanitary Sewer-Operating) in object class 03 Services per the accounting codes in the attachment to this ordinance.

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 or vetoes the same.