



## Legislation Details (With Text)

**File #:** 1708-2007      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 10/17/2007      **In control:** Utilities Committee  
**On agenda:** 11/19/2007      **Final action:** 11/21/2007

**Title:** To authorize the Director of Finance and Management to establish a Purchase Order with Ermco to cover the additional cost of transformers for the Division of Power and Water (Power); to authorize the transfer and expenditure of \$31,097.08 within the Voted Street Lighting and Electricity Distribution Improvement Fund; to amend the 2007 Capital Improvements Budget; and to declare an emergency. (\$31,097.08)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1708-2007 pricing notification

Date	Ver.	Action By	Action	Result
11/21/2007	1	CITY CLERK	Attest	
11/20/2007	1	MAYOR	Signed	
11/19/2007	1	Columbus City Council	Approved	Pass
11/19/2007	1	COUNCIL PRESIDENT PRO-TEM	Signed	
11/9/2007	1	Utilities Drafter	Sent for Approval	
11/9/2007	1	CITY ATTORNEY	Reviewed and Approved	
11/9/2007	1	Utilities Drafter	Sent to Clerk's Office for Council	
11/8/2007	1	ODI DIRECTOR	Reviewed and Approved	
11/7/2007	1	EBOCO Reviewer	Sent for Approval	
11/6/2007	1	Finance - Purchasing Reviewer	Reviewed and Approved	
11/6/2007	1	FINANCE DIRECTOR	Reviewed and Approved	
11/6/2007	1	Utilities Drafter	Sent for Approval	
11/5/2007	1	Finance Reviewer	Reviewed and Approved	
11/5/2007	1	Finance Reviewer	Reviewed and Approved	
10/31/2007	1	Auditor Reviewer	Reviewed and Approved	
10/31/2007	1	CITY AUDITOR	Reviewed and Approved	
10/31/2007	1	Utilities Drafter	Sent for Approval	
10/30/2007	1	UTILITIES DIRECTOR	Reviewed and Approved	
10/30/2007	1	Utilities Drafter	Sent for Approval	
10/26/2007	1	Utilities Reviewer	Sent for Approval	
10/18/2007	1	Utilities Reviewer	Reviewed and Approved	

10/18/2007	1	Utilities Reviewer	Reviewed and Approved
10/18/2007	1	Utilities Drafter	Sent for Approval
10/17/2007	1	Utilities Drafter	Sent for Approval

**BACKGROUND:** This Ordinance authorizes the Director of Finance and Management to establish a Purchase Order with Ermco to cover the additional cost of transformers for the Division of Power and Water (Power). Purchase Order UL005386 was originally established for \$117,346.00 per Universal Term Contract FL002973. This contract stated that any shipments after 11/30/06 would be subject to an escalated price based on their material price index. Their material price index is 29.85%. The Division inadvertently thought this increase applied to orders, rather than actual shipments, after 11/30/06. Therefore, an extra \$31,097.08 is due to Ermco.

**1. Amount of additional funds to be expended: \$31,097.08**

Original Contract Amount: \$117,346.

Amount of original contract and this modification: \$148,443.08

**2. Reasons additional goods/services could not be foreseen:**

The Division of Power and Water was aware of this escalation clause but believed the increase would be applied to orders placed after 11/30/06, rather than actual shipments after 11/30/06.

**3. Reason other procurement processes are not used:**

The Division of Power and Water is encumbering funds for the additional \$31,097.08 owed Ermco.

**4. How cost of modification was determined:**

The original contract stated that any shipments after 11/30/06 would be subject to an escalated price of 29.85%.

**Contract Compliance Information:** 61-0701489, expires 2/1/08, Majority

**Emergency Designation:** It is requested that this Ordinance be handled in an emergency manner as the Division of Power and Water would like to pay Ermco the overdue balance of \$31,097.08 for materials already received.

**FISCAL IMPACT:** A transfer of funds within the Voted Street Lighting and Electricity Distribution Improvement Fund is necessary. An amendment to the 2007 Capital Improvements Budget is also necessary.

To authorize the Director of Finance and Management to establish a Purchase Order with Ermco to cover the additional cost of transformers for the Division of Power and Water (Power); to authorize the transfer and expenditure of \$31,097.08 within the Voted Street Lighting and Electricity Distribution Improvement Fund; to amend the 2007 Capital Improvements Budget; and to declare an emergency. (\$31,097.08)

**WHEREAS,** the Purchasing Office entered into Universal Term Contract FL002973 with Ermco for transformers and regulators; and

**WHEREAS,** this contract stated that any shipments after 11/30/06 would be subject to an escalated price of 29.85%; and

**WHEREAS,** the Division of Power and Water inadvertently believed this increase applied to orders, rather than actual shipments, made after 11/30/06 and did not include the price escalation in the original purchase order; and

**WHEREAS,** the Division owes \$31,097.08 to Ermco in overdue charges; and

**WHEREAS,** it is necessary to authorize an amendment to the 2007 Capital Improvements Budget for purposes of providing sufficient funding and spending authority for the aforementioned project expenditures; and

**WHEREAS,** it is necessary for this Council to authorize the City Auditor to transfer funds within the Voted Street Lighting and Electricity Distribution Improvement Fund; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, to

authorize the Director of Finance and Mangement to establish a Purchase Order with Ermco to cover the additional cost of transformers for the Division of Power and Water (Power), in an emergency manner so the Division of Power and Water can pay Ermco the overdue amount for materials already received, for the immediate preservation of 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 Finance and Management is hereby authorized and directed to establish a Purchase Order with Ermco to cover the additional cost of transformers for the Division of Power and Water (Power), in the amount of \$31,097.08.

**SECTION 2.** That the City Auditor is hereby authorized to transfer \$31,097.08 within the Voted Street Lighting and Electricity Distribution Improvements Fund, Fund 553, Division of Power and Water (Power), Dept/Div. 60-07, Object Level One 06, Object Level Three 6621, as follows:

**Project No. | Project Name | OCA Code | change**

670780 | Forest Hills SL | 553780 | -\$31,097.08  
670608 | Distribution System Imp's | 670608 | +\$31,097.08

**SECTION 3.** That the 2007 Capital Improvements Budget is hereby amended as follows:

**Project No. | Project Name | Current Authority | Revised Authority | (change)**

670780 | Forest Hills SL | \$238,000 | \$206,902 | -\$31,098  
670608 | Distribution System Imp's | \$1,387,779 | \$1,418,877 | +\$31,098

**SECTION 4.** That to pay the cost of the aforesaid contract, the expenditure of \$31,097.08, or so much thereof as may be needed, is hereby authorized from the Voted Street Lighting and Electricity Distribution Improvements Fund, Fund No. 553, Division No. 60-07, Project No. 670608, OCA 670608, Object Level One 06, Object Level Three 6621.

**SECTION 5.** That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

**SECTION 6.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**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 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.