



## Legislation Text

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**File #:** 0926-2013, **Version:** 1

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The purpose of this legislation is to authorize the Director of Public Utilities to enter into a planned modification with Madden Brothers Inc. for the purposes of providing Yard Waste and Log Grinding Services for the Division of Sewerage and Drainage, Compost Facility.

The Division of Sewerage and Drainage, Compost Facility utilizes a contract that provides for the purchase of woodchips to be used as bulking agents for composting and to produce the product Com-Til. The services to be performed under this agreement calls for Madden Brothers Inc. to provide equipment and an operator to grind yard waste (shrubs, leaves, tree limbs, logs, etc) that are received by the Compost Facility. The finished product will be used as an alternative source for bulking agents. The contract language provided for a one (1) year agreement in effect to and including July 31, 2010. Furthermore, upon mutual agreement and approval by the Columbus City Council, this contract allows for three (3) extensions on a year to year basis and funds availability. The third extension has been exercised and the expiration date is July 31, 2013. This modification is to add additional funding to this contract to continue these services while a new bid is solicited.

**EMERGENCY DESIGNATION:** This Ordinance is being submitted as emergency to allow for the prompt establishment of additional funding. Funds are needed by the end of April to continue to provide the necessary services as an alternative source for bulking agents so as to not delay the availability of Com-Til for sale during the Spring Landscaping season. Also woodchips will be needed to assist in the rebuilding of bio-filter at the Compost Facility which has to be done in the spring per air permit.

**SUPPLIER:** Madden Brothers Inc. (34-1739227) Expires May 13, 2013. Madden Brothers Inc. 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 contract modification No. 4 is \$40,000.00. Total contract amount including this modification is \$480,000.00.
2. Reason additional funds were not foreseen: The need for additional funds was known at the time of the initial contract, as this is an annual expenditure. This legislation is to encumber the funds budgeted for fiscal year 2013 for the Division of Sewerage and Drainage.
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 cost was determined: The cost, terms and conditions are in accordance with the original agreement.

**FISCAL IMPACT:** \$40,000.00 is needed and budgeted for this service.

\$110,408.74 was spent in 2012

\$111,816.39 was spent in 2011

To authorize the Director of Public Utilities to enter into a planned modification with Madden Brothers Inc. for Yard Waste and Log Grinding Services for the Division of Sewerage and Drainage; and to authorize the expenditure of \$40,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$40,000.00)

**WHEREAS**, the Division of Sewerage and Drainage, Compost Facility utilizes a contract that provides for the purchase of woodchips to be used as bulking agents for composting and to produce the product Com-Til, and

**WHEREAS**, the services to be performed under this agreement call for Madden Brothers Inc. to provide equipment and an operator to grind yard waste (shrubs, leaves, tree limbs, logs, etc) that are received by the Compost Facility, and

**WHEREAS**, the finished product will be used as an alternative source for bulking agents, and

**WHEREAS**, the Director of Public Utilities received three (3) formal bids on March 11, 2009 and Madden Brothers was awarded the contract., and

**WHEREAS**, the original contract was for one (1) year through July 31, 2010 and upon mutual agreement and approval by the Columbus City Council, this contract can be extended for three (3) additional years on a year to year basis and funds availability, and

**WHEREAS**, the third extension option has been exercised and the expiration date is July 31, 2013, and

**WHEREAS**, this modification is to add additional funding to this contract to continue these services while a new bid is solicited, 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 add additional funding to this contract to continue these services while a new bid is solicited, so as to not delay the availability of Com-Til for sale during the Spring Landscaping season; 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 enter into a planned modification of EL009435 with Madden Brothers Inc. for Yard Waste and Log Grinding Services for the Division of Sewerage and Drainage. Total amount of modification No. 4 is ADD \$40,000.00. Total contract amount including this modification is \$480,000.00.

**SECTION 2.** That the original bid specifications allowed for a one (1) year agreement which would be effective to an including July 31, 2010. Furthermore, upon mutual agreement and approval by the Columbus City Council, this contract allows for three (3) extensions on a year to year basis and funds availability. That the Division of Sewerage and Drainage has exercised the third extension option and the expiration date is July 31, 2013.

**SECTION 3.** That this modification is to add additional funding to the current contract to allow for the continuation of these services while a new bid is solicited.

**SECTION 3.** That the expenditure of \$40,000.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650 as follows:

OCA: 605899  
Object Level 1: 03  
Object Level 3: 3377

**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.