



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

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**File #: 2851-2012, Version: 1**

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The Department of Public Utilities entered into a contract with Shelly Materials, Inc. for the Disposal of Clean Fill. The contract provides for a disposal site within Franklin County for the disposal of clean fill from pipe repair excavations for the Divisions of Water and the Division of Sewerage and Drainage. This contract was the result of a Director's bid received on February 10, 2010 (SA003481). Shelly Materials, Inc. was the lowest, responsive and responsible bid received and met all requirements of the specifications.

The original contract language allowed a contract period of one (1) year and included three (3) one year renewal options. The Department is pleased with the performance of Shelly Materials Inc and is requesting authorization to enter into a planned modification for the third and final renewal of the original contract for a grand total of \$85,000.00.

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.

**SUPPLIER:** Shelly Materials, Inc Contract Compliance: 31-1574851, expires December 14, 2013  
Shelly Materials, Inc. does not hold MBE/FBE status.

1. Amount of additional funds: The amount of additional funds needed for this contract is \$85,000.00. The original contract was established for \$100,000.00. The total cost of the original contract and all modifications is \$385,000.00. The modification represents funding added during the contract period for costs related to the services provided. The need for increased funding is to cover anticipated contract billings during fiscal year 2013.
2. Reason additional needs were not foreseen: The need for additional funds was foreseen, an extension is provided for in the original contract. This legislation is to encumber the funds budgeted for fiscal year 2013 for the Division of Water and the Division of Sewerage and Drainage.
3. Reason other procurement processes not used: The same exact service is required as originally bid. 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:** \$100,000.00 is budgeted and needed for this purchase. **This ordinance is contingent on the passage of the 2013 operating budget, which is Ordinance 2631-2012.**

Expenditures for disposal services on this contract in 2010 were \$80,720.00.  
Expenditures for disposal services on this contract in 2011 were \$95,135.00

To authorize the Director of Public Utilities to enter into a planned modification of the Disposal of Clean Fill contract with Shelly Materials, Inc., for the Division of Water and Division of Sewerage and Drainage, to authorize the expenditure of \$60,000.00 from Water Operating Fund and \$25,000.00 from the Sewer Systems Operating Fund. (\$85,000.00)

**WHEREAS,** the Department of Public Utilities has a contract with Shelly Materials, Inc. for the Disposal of Clean Fill;

and

**WHEREAS**, the contract was established to allow for three (3) one year renewals upon mutual agreement and approval by Columbus City Council, and

**WHEREAS**, the vendor has agreed to modify and increase EL010238 at current prices and conditions to and including April 14, 2014, and it is in the best interest of the City to exercise this option; and

**WHEREAS**, these repair services are used by the Department of Public Utilities, for the preservation of public health, peace, property and safety; now, therefore,

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

**Section 1.** That the Public Utilities Director be and is hereby authorized and directed to modify and increase EL010238 with Shelly Materials, Inc., to and including April 14, 2014. Total amount of modification No. 4 is ADD \$85,000.00. Total contract amount including this modification is \$385,000.00.

**Section 2.** That this modification is in accordance with Section 329.16 of the Columbus City Codes.

**Section 3.** That the expenditure of \$85,000.00 or so much thereof as may be needed, is hereby authorized from Object Level One 03, Object level Three 3376, Fund Names and Numbers, Departments, OCA Codes and amounts listed below, to pay the cost thereof.

<u>Dept/Div</u>	<u>Fund Name</u>	<u>Fund Number</u>	<u>OCA</u>	<u>Amount</u>
60-09	Water Operating	600	602730	\$60,000.00
60-05	Sewer Systems Operating	650	605089	<u>25,000.00</u>
				\$85,000.00

**Section 4.** That this Ordinance shall take effect and be in effect and be in force from and after the earliest period allowed by law.