



## Legislation Text

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**File #:** 1136-2021, **Version:** 1

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This legislation authorizes the Director of the Department of Public Utilities to enter into contract modification No. 3 with TFH-EB, Inc., dba The Waterworks for the Project Dry Basement: Backwater Valve Installation and Sump Pump program for the Division of Sewerage and Drainage. The goal of this project is designed to prevent sewer backups in single and two-family homes in Columbus due to surcharging in city sewers from heavy rain or sewer blockages by protecting the home up to the top of casting of the nearest upstream manhole with a Spears or pre-approved backwater valve, which allows use of plumbing fixtures above that elevation in the remainder of the home. Only homes deemed eligible by the City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage qualify for this project. Under this project an eligible home with an interior perimeter foundation drain connection to the lateral is also eligible, at the owner's option for the installation of a sump pump that will redirect the foundation drainage away from the sanitary lateral to the sump pump and then discharge that drainage away from the house.

The Department of Public Utilities solicited competitive bids for the subject project in accordance with the relevant provisions of Chapter 329 of City Code relating to construction contracts. Three (3) bids (3 MAJ) were received on May 31, 2017. TFH-EB, Inc., dba The Waterworks was determined to be the lowest, responsive, responsible and best bidder.

This contract was estimated to last 3 years. It was estimated that 120 valves (40/per year) and 60 sump pumps (20/per year) would be installed during the 3 year term of the contract which was due to expire on December 12, 2020. Modification #2 extended the contract through February 28, 2021 and added additional funding. With the heavy rains of 2020 there has been an upsurge of new application requests returned since March of last year, with more coming in on a regular basis.

The contract provided for the provision that if additional funding is necessary, a modification would be requested. This modification #3 is to provide the additional funding necessary for the payment of services provided through the end of the contract.

**SUPPLIER:** TFH-EB, Inc., dba The Waterworks, FID #31-1162504, DAX #004777, Expires October 21, 2021  
TFH-EB, Inc., dba The Waterworks 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 modification No. 3 is \$18,221.13. Total contract amount including this modification is \$1,348,107.13.
2. Reason additional funds were not foreseen: The need for additional funds were not expected as the original contract was for 3 years with all of the money set-up at that time. With the heavy rains of 2020 there has been an upsurge of applications returned. This modification is to provide the additional funding necessary for the payment of services provided through the end of the contract period.
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 was cost determined: The cost, terms and conditions are in accordance with the original agreement.

**FISCAL IMPACT:** \$18,221.13 is needed for this modification. Budget priorities will be reviewed and shifted to cover the additional costs of this expense.

\$617,499.41 was spent in 2020

\$135,599.29 was spent in 2019

**EMERGENCY DESIGNATION:** This ordinance is being submitted as an emergency because, without emergency action, no less than thirty-seven days will be added to this procurement cycle and the timely payment of the additional services provided through the end of the contract period by the vendor will be delayed.

To authorize the Director of the Department of Public Utilities to modify, and increase a contract with TFH-EB, Inc., dba The Waterworks for the Project Dry Basement: Backwater Valve Installation and Sump Pump program for the Division of Sewerage and Drainage, to authorize the expenditure of \$18,221.13 from the Sewerage System Operating Fund, and to declare an emergency. (\$18,221.13)

**WHEREAS,** the Department of Public Utilities maintains a program to prevent sewer backups in single and two-family homes in Columbus due to surcharging in city sewers from heavy rain or sewer blockages by protecting the home up to the top of casting of the nearest upstream manhole with a Spears or preapproved backwater valve, which allows use of plumbing fixtures above that elevation in the remainder of the home. Only homes deemed eligible by the City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage qualify for this project. Under this project an eligible home with an interior perimeter foundation drain connection to the lateral is also eligible, at the owner's option for the installation of a sump pump that will redirect the foundation drainage away from the sanitary lateral to the sump pump and then discharge that drainage away from the house, and

**WHEREAS,** the Department of Public Utilities, Division of Sewerage and Drainage has a contract with TFH-EB, Inc., dba The Waterworks for the Project Dry Basement: Backwater Valve Installation and Sump Pump program, and

**WHEREAS,** the Department of Public Utilities, Division of Sewerage and Drainage wishes to modify PO096243 with TFH-EB, Inc., dba The Waterworks for the Project Dry Basement: Backwater Valve Installation and Sump Pump Program to provide the additional funding necessary for the timely payment of the additional services provided through the end of the contract period, and

**WHEREAS,** the vendor has agreed to modify and increase PO096243 at current prices and conditions, and it is in the best interest of the City to exercise this option, and

**WHEREAS,** this Ordinance is being submitted in accordance with the relevant provisions of Chapter 329 of City Code pertaining to contract modifications and renewals, and

**WHEREAS,** this Ordinance authorizes the expenditure of \$18,221.13, or so much thereof as may be needed, from the Sewer Operating Sanitary Fund; 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 to modify and increase its contract with TFH-EB, Inc., dba The Waterworks for the Project Dry Basement: Backwater Valve Installation and Sump Pump program to allow for the timely payment of the additional services provided through the end of the contract period, for the 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 Public Utilities be and is hereby authorized to modify and increase contract No. PO096243 with TFH-EB, Inc., dba The Waterworks, 550 Schrock Road, Columbus, Ohio 43229, for the Project Dry Basement: Backwater Valve Installation and Sump Pump program, in accordance with the terms and conditions on file in the Office of the Division of Sewerage and Drainage. The amount of modification No. 3 is \$18,221.13. Total contract amount including this modification is \$1,348,107.13.

**SECTION 2.** That said firm shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**SECTION 3.** That this modification is in accordance with the relevant provisions of Chapter 329 of City Code relating to contract modifications and renewals.

**SECTION 4.** That the expenditure of \$18,221.13 or so much thereof as may be needed, is hereby authorized in Fund 6100 Sewerage System Operating Fund in object class 02 Materials & Supplies in the amount of \$8,803.38 and 03 Services in the amount of \$9,417.75, 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 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.