



## Legislation Details (With Text)

<b>File #:</b>	1359-2015	<b>Version:</b>	1
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	5/14/2015	<b>In control:</b>	Public Utilities Committee
<b>On agenda:</b>	7/13/2015	<b>Final action:</b>	7/16/2015
<b>Title:</b>	To authorize the Director of Public Utilities to modify, increase and extend the Security System Maintenance, Monitoring and Inspection contract with SimplexGrinnell LP, for the Division of Sewerage and Drainage in accordance with the relevant provisions of the Columbus City Code for Sole Source procurement, and to authorize the expenditure of \$77,631.41 from the Sewer System Operating Fund. (\$77,631.41)		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. ORD 1359-2015 SimplexGrinnell - Mod #3 Info, 2. ORD 1359-2015 SimplexGrinnell Sole Source Ltr, 3. ORD 1359-2015 SimplexGrinnell - Mod 3 - Subcontractor Work ID Form, 4. ORD 1359-2015 SimplexGrinnell Mod #3 - SWWTP, 5. ORD 1359-2015 SimplexGrinnell Mod #3-Emig Road, 6. ORD 1359-2015 SimplexGrinnell Mod #3-Fairwood SW License, 7. ORD 1359-2015 SimplexGrinnell Mod #3-Fairwood, 8. ORD 1359-2015 SimplexGrinnell Mod #3-JPWWTP, 9. ORD 1359-2015 SimplexGrinnell Mod #3 - Access Tech Labor, 10. ORD 1359-2015 SimplexGrinnell Sole Source		

Date	Ver.	Action By	Action	Result
7/16/2015	1	CITY CLERK	Attest	
7/15/2015	1	MAYOR	Signed	
7/13/2015	1	COUNCIL PRESIDENT	Signed	
7/13/2015	1	Columbus City Council	Approved	Pass
6/22/2015	1	Columbus City Council	Read for the First Time	

The Director of Public Utilities entered into a contract with SimplexGrinnell LP, to provide Security System Maintenance, Monitoring and Inspection, and the Annual Inspection Plus purchase of Access Control software at the Sewer Maintenance Operation Center locations of 1250 Fairwood Avenue and 1388 Emig Road; and for the performance of inspections, diagnostic tests and repairs for all accessible peripheral devices currently connected to the facility life safety systems at the Jackson Pike and Southerly Wastewater Treatment Plants. These systems include the Fire Alarm Detection Systems, and the Fire Sprinkler Systems. The accessible peripheral devices shall be functionally tested in accordance with the NFPA 72, chapter 10, and manufacturer's recommended procedures. This agreement provides for the repair and necessary documentation to log all accessible components and devices, detector cleaning for fire alarm and detection systems, emergency service call and labor for the fire alarm will be provided 24 hours a day, 7 days a week, and panel and peripheral component replacement for the various electronic systems, including battery replacement.

This ordinance is being submitted in accordance with the relevant provisions of Columbus City Code Chapter 329 for Sole Source procurement.

This contract covers a five-year period from July 1, 2013 through and including June 30, 2018. For each year of the five year contract, funds for the services shall be reviewed and expenditures shall be approved by Ordinance of City Council, and the appropriation and certification of funds by the City Auditor. The current year's agreement is for the period of July 1, 2015 through and including June 30, 2016. There is a need to establish funding in the amount of \$1,968.00 to allow

SimplexGrinnell to provide up to 16 hours of Technical Labor to assist in loading new access cards for the Sewer Maintenance Operation Center locations of 1250 Fairwood Avenue and 1388 Emig Road. This modification includes an additional \$10,000.00 to allow for the establishment of a contingency fund to be used as necessary if there is a repair identified outside of the service agreement. If unforeseen issues or difficulties are encountered that would require additional funding, a modification would be requested.

**SUPPLIER:** SimplexGrinnell LP (58-2608861-003) Expires 1-26-17  
SimplexGrinnell LP 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. 3 is ADD \$77,631.41. Total contract amount including this modification is \$238,693.85.
2. Reason additional funds were not foreseen: This is a planned modification. The original contract allows for four (4) extension periods on a year to year basis. This modification is to provide the funding necessary for the payment of service to be provided through June, 2018.
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. This equipment was installed by SimplexGrinnell LP and they are the sole provider of the monitoring, maintenance and diagnostic testing and repairs of the systems.
4. How was cost determined: The cost, terms and conditions are in accordance Service Proposal Quotes dated March 3, 2015 and May 21, 2015 that are attached. This modification includes an additional \$10,000.00 to allow for the establishment of a contingency fund to be used as necessary if there is a repair identified outside of the service agreement.

**FISCAL IMPACT:** \$77,631.41 is budgeted and available for this purchase.

\$69,670.27 was spent in 2014

\$91,392.17 was spent in 2013

To authorize the Director of Public Utilities to modify, increase and extend the Security System Maintenance, Monitoring and Inspection contract with SimplexGrinnell LP, for the Division of Sewerage and Drainage in accordance with the relevant provisions of the Columbus City Code for Sole Source procurement, and to authorize the expenditure of \$77,631.41 from the Sewer System Operating Fund. (\$77,631.41)

**WHEREAS,** the Department of Public Utilities has a contract with SimplexGrinnell LP for Security System Maintenance, Monitoring and Inspection services at various facilities of the Division of Sewerage and Drainage, and

**WHEREAS,** the Department of Public Utilities wishes to modify, increase and extend EL014561 with SimplexGrinnell LP for Security System Maintenance, Monitoring and Inspection Services and for the purchase of Annual Software with updates and technical support, to provide the additional funding necessary for 2015 for the Division of Sewerage and Drainage and to extend the contract through and including June 30, 2016, and

**WHEREAS,** the vendor has agreed to modify, increase and extend EL014561 at current prices and conditions, and it is in the best interest of the City to exercise this option, and

**WHEREAS**, there is a need to establish funding to allow SimplexGrinnell to provide up to 16 hours of Technical Labor to assist in loading new access cards for the Sewer Maintenance Operation Center locations of 1250 Fairwood Avenue and 1388 Emig Road, and

**WHEREAS**, this modification includes an additional \$10,000.00 to allow for the establishment of a contingency fund to be used as necessary if there is a repair identified outside of the service agreement, and

**WHEREAS**, the Department of Public Utilities desires to modify the terms of the original contract (EL014561) to add language for the establishment of a contingency fund, and to establish a Special Provisions section, and

**WHEREAS**, SimplexGrinnell is the sole provider for the above mentioned services, therefore, this ordinance is being submitted in accordance with the relevant provisions of the Columbus City Code Chapter 329 for Sole Source procurement, and

**WHEREAS**, it has become necessary in the usual daily operations of the Department of Public Utilities to authorize the Director to modify, increase and extend the existing contract with SimplexGrinnell LP in order to provide for continuation of Security System Maintenance, Monitoring and Inspections Services, and for the purchase of Annual Software; 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, increase and extend Contract No. EL014561 with SimplexGrinnell LP, 6175 Shamrock Court, Suite S, Dublin, Ohio 43016, for Security System Maintenance, Monitoring and Inspection Services, for the purchase of Annual Software with updates and technical support, to provide technical labor to assist in loading new access cards at various locations and for the establishment of a contingency fund to be used as necessary if there is a repair identified outside of the service agreement, for the Division of Sewerage and Drainage, in accordance with the terms and conditions on file in the Office of the Division of Sewerage and Drainage. Total amount of modification No. 3 is ADD \$77,631.41. Total contract amount including this modification is \$238,693.85. This modification extends the contract through and including June 30, 2016.

**SECTION 2.** That the expenditure of \$77,631.41 or so much thereof as may be needed, be and the same hereby is authorized from the Sewer System Operating Fund, Fund 650, Department 60-05, to pay the cost of this contract as follows:

OCA: 605089  
Object Level 1: 03  
Object Level 03: 3398  
Amount: \$4,356.00

OCA: 606202  
Object Level1: 03  
Object Level 03: 3398  
Amount: \$23,032.00

OCA: 606202  
Object Level1: 03  
Object Level 03: 3358  
Amount: \$1,696.00

OCA: 606202  
Object Level1: 03  
Object Level 03: 3336  
Amount: \$1,968.00

OCA: 605030  
Object Level1: 03  
Object Level 03: 3398  
Amount: \$13,437.91

OCA: 605063  
Object Level1: 03  
Object Level 03: 3398  
Amount: \$23,141.50

OCA: 605378  
Object Level1: 03  
Object Level 03: 3398  
Amount: \$10,000.00

**SECTION 3.** That this modification is in accordance with the relevant provisions of Columbus City Code Chapter 329.

**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 Director of the Department of Public Utilities be and is hereby authorized to modify the terms of the original contract (EL014561) to add the following language to the contract:

**22. Contingency**

The lump sum amount for this Pay item shall be \$10,000.00. During the Contract, this Pay item shall be utilized by the City as a resource for funding necessary changes in the work. Changes are as described in Special Provisions SP-1 and SP-2. The amount of this Pay item, being a part of the Contract Sum, shall be included in all insurance, warranty, and other applicable coverage by the Contractor. This Pay Item shall not, however, be considered as a sum to which the Contractor has any entitlement, except as portions of it are assigned for payment by written order of the City directing change, and as progress is made by the Contractor upon the work under such written orders.

**23. Special Provisions**

**SP-1 COLUMBUS CONSTRUCTION AND MATERIAL SPECIFICATIONS 2012**

Unless otherwise specified or modified by special provisions contained herein paragraphs in these Contract Documents referencing the City of Columbus, Ohio Construction and Material Specifications (CMS), 2012 edition will become part of the terms and conditions of the proposal and the contract to be awarded. Hard copies of this document are available for examination or purchase at the Department of Public Service, 50 W. Gay St., First Floor, Room 100, Columbus, Ohio 43215, (614) 645-8376, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4<sup>th</sup> Floor, Columbus, Ohio 43215, (614) 645-6141. An electronic version of the document can be viewed at <http://publicservice.columbus.gov/DocListing.aspx?id=47645>

**SP-2 CHANGES IN THE WORK.**

CMS Item 109.05 A. shall be amended as follows:

- A. General. When the City wishes to make any change or modification in the work or add to the work within the general scope of the Contract, a Request for Proposal (RFP) will be issued to the contractor. A Proposal (Quote) shall be submitted by the contractor to the Project Manager within ten (10) days of the contractor's receipt of a RFP for such Change. If the Change in or addition to the work will result in an increase in the Contract Sum, the City may elect to issue the RFP in a lump

sum basis. The Contractor's lump sum proposal (quote) in response to the City's RFP shall be itemized and segregated by labor, materials, and equipment for various components of the Change in, or addition to, the Work (no aggregate labor total will be acceptable), and shall be accompanied by signed proposals of any Subcontractors who will perform any portion of the Change in, or addition to, the Work and of any persons who will furnish materials or equipment for incorporation therein. The proposal shall also include the Contractor's estimate of the time required to perform said Changes or additional work. The City shall pay for the changes using the sequence provided in 109.05B through 109.05D and that constitutes payment in full.

CMS Item 109.05 C.2, paragraph 1 shall be amended as follows:

1. Labor. The portion of the proposal relating to labor, whether by the Contractor's forces or the forces of any of its Subcontractors, may include reasonably anticipated gross wages of Job Site labor, including foreman, who will be directly involved in the Change in the Work, plus payroll costs (including premium costs of overtime labor, if overtime is anticipated, Social Security, Federal, or State unemployment insurance taxes and fringe benefits required by collective bargaining agreements entered into by the contractor or any such Subcontractor in connection with such labor) and up to ten (10) percent for overhead and five (5) percent for profit on such anticipated gross wages, but not upon payroll costs, for the contractor or any such Subcontractor, as applicable (said overhead and profit shall include all supervision of any nature whatsoever and administration, clerical expense, engineering, and project management).

**SECTION 6.** That all other sections shall remain in effect for the duration of contract No. EL014561.

**SECTION 7.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.