



Legislation Details (With Text)

File #: 0808-2019 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/13/2019 **In control:** Technology Committee

On agenda: 5/6/2019 **Final action:** 5/9/2019

Title: To authorize the assignment of all past, present and future business done by the City of Columbus with Vertiv Services, Inc. (CC#/FID#: 43-1798453) to Vertiv Corporation (CC#/FID#: 31-0715256); to authorize the Director of the Department of Technology to enter into contracts with Vertiv Corporation, for annual maintenance and related services associated with the Uninterrupted Power Supply (UPS) systems; to authorize the Director of the Department of Technology to enter into contract with Vertiv Corporation for heating, cooling and ventilation (HVAC) system and various equipment maintenance; to waive the competitive bidding provisions of the Columbus City Code; to authorize the re-establishment of remaining unspent/existing balances on previously authorized purchase orders so that outstanding invoices can be paid; to authorize the expenditure of \$157,258.04, including contingency funds, from the Department of Technology, Information Services Division, Information Services Operating Fund; and to declare an emergency. (\$157,258.04)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ord. 0808-2019 Quote - City of Columbus UPS Svc 2019_Vertiv, 2. Ord. 0808-2019 Quote - City of Columbus HVAC ATS GEN Svc 2019-20_Vertiv, 3. 2019 Vertiv T M Quote, 4. Ord. No. 0808-2019 - JB1796 City of Columbus SID 106761_Mammoth Units, 5. Sole Source Form_Ord. 0808-2019_Vertiv Corp, 6. Sole Source Letter - City of Columbus 2019_Vertiv, 7. Bid Waiver Ord. No. 0808-2019, 8. 0808-2019 EXP

Date	Ver.	Action By	Action	Result
5/9/2019	1	CITY CLERK	Attest	
5/8/2019	1	MAYOR	Signed	
5/6/2019	1	COUNCIL PRESIDENT	Signed	
5/6/2019	1	Columbus City Council	Approved	Pass

BACKGROUND:

This ordinance will authorize the assignment of all past, present and future business done by the City of Columbus with Vertiv Services, Inc. (CC#/FID#: 43-1798453) to Vertiv Corporation (CC#/FID#: 31-0715256). This ordinance will also allow for the remaining unspent/existing balances on the following purchase orders (PO's): PO148887 (line 10; 62010 - \$3,773.21, PO148887 line 20 and PO113193 line 10 - 63260 totaling \$6,805.58) for a total amount of \$10,578.79 to be re-established so that outstanding invoices can be paid. These PO's were previously authorized by Ord. No. 0908-2018 passed by the Columbus City Council on 4/9/2018.

This ordinance authorizes the Director of the Department of Technology to enter into a contract with Vertiv Corporation for maintenance and related services on the City's Uninterrupted Power Supply (UPS) systems. The City entered into an agreement (EL006410) for UPS maintenance services, authorized by ordinance 1160-2006. Last year, the agreement was continued by authority of ordinance 0908-2018, passed April 9, 2018, through purchase order PO113191. Approval of this ordinance will provide UPS maintenance services for the period April 19, 2019 to April 18, 2020, at a total cost of \$65,835.42.

Although maintenance services for the UPS systems are available from other suppliers, Vertiv Corporation is the only factory authorized service provider for the UPS equipment used at the City's data centers. Where alternate providers of UPS services are required to utilize Liebert technicians, Vertiv Corporation's policy is to bill the end user directly and not the third party service provider; nor does Vertiv Corporation support third party organizations with technical back-up or guaranteed parts availability. Given the critical need for reliable UPS systems at the City's data centers, it is in the City's best interests to contract directly with Vertiv Corporation. As such, this ordinance is being submitted in accordance with the provisions of sole source procurement of the City of Columbus Code Chapter 329.

This ordinance will also authorize the Director of the Department of Technology to enter into a contract agreement with Vertiv Corporation for additional equipment; heating, cooling and ventilation (HVAC), Automatic Transfer Switch (ATS), Generators maintenance and support services with a coverage term period of 4/19/2019 through 4/18/2020, in the amount of \$50,843.83. Last year, the agreement was authorized under ordinance 0908-2018, passed April 9, 2018, through purchase order PO113193.

As a result of various system and equipment failures/malfunctions at the City's Data Center, the Department of Technology (DoT) has selected one (1) comprehensive vendor with the expertise to manage all equipment under one (1) umbrella contract. Previously there were five (5) separate vendors/contracts performing routine maintenance and support services which were not cost effective nor efficient. The HVAC, Automatic Transfer Switch (ATS), Generators maintenance and support services are interconnected and all support will now be performed/provided by one (1) vendor under one (1) streamlined contract increasing efficiency. For the reasons stated, this ordinance requests to waive the competitive bidding provisions in accordance with section 329 of the Columbus City Code to enter into the contract for additional equipment; HVAC, Automatic Transfer Switch (ATS), Generators maintenance and support services.

Additionally, this ordinance authorizes contingency funding in the amount of \$30,000.00 for unforeseen circumstances, replacement parts and maintenance services and/or additional travel not covered in the maintenance contract agreements.

The total amount of funding being requested via this ordinance is \$157,258.04.

EMERGENCY:

Emergency action is requested to expedite authorization of this contract in order to facilitate and maintain uninterrupted services from the supplier.

FISCAL IMPACT:

During fiscal years 2017 and 2018, the amounts of \$78,009.00 and \$150,873.19 were legislated respectively for maintenance support and related services for the Uninterrupted Power Supply (UPS) systems, HVAC system and various other equipment contracts. Funding for the 2019 UPS contract in the amount of \$65,835.42, the 2018 HVAC system and various other equipment contracts in the amount of \$50,843.83, contingency funds in the amount of \$30,000.00 and the re-establishment of previously authorized purchase order funds (\$10,578.79) for a grand total funding request of \$157,258.04 are budgeted and available within the Department of Technology, Information Services Division, Information Services Operating Fund.

CONTRACT COMPLIANCE NUMBER:

Vendor Name: Vertiv Corporation; C.C#/F.I.D#: 31-0715256; Expiration Date: 04/12/2021
(DAX Vendor Acct#: 025728)

To authorize the assignment of all past, present and future business done by the City of Columbus with Vertiv Services, Inc. (CC#/FID#: 43-1798453) to Vertiv Corporation (CC#/FID#: 31-0715256); to authorize the Director of the Department of Technology to enter into contracts with Vertiv Corporation, for annual maintenance and related services associated with the Uninterrupted Power Supply (UPS) systems; to authorize the Director of the Department of Technology to enter into contract with Vertiv Corporation for heating, cooling and ventilation (HVAC) system and

various equipment maintenance; to waive the competitive bidding provisions of the Columbus City Code; to authorize the re-establishment of remaining unspent/existing balances on previously authorized purchase orders so that outstanding invoices can be paid; to authorize the expenditure of \$157,258.04, including contingency funds, from the Department of Technology, Information Services Division, Information Services Operating Fund; and to declare an emergency. (\$157,258.04)

WHEREAS, this ordinance will authorize the assignment of all past, present and future business done by the City of Columbus with Vertiv Services, Inc. (CC#/FID#: 43-1798453) to Vertiv Corporation (CC#/FID#: 31-0715256); and

WHEREAS, this ordinance will also allow for the remaining unspent/existing balances on the following purchase orders (PO's): PO148887 (line 10; 62010 - \$3,773.21, PO148887 line 20 and PO113193 line 10 - 63260 totaling \$6,805.58) for a total amount of \$10,578.79 to be re-established so that outstanding invoices can be paid. These PO's were previously authorized by Ord. No. 0908-2018 passed by the Columbus City Council on 4/9/2018; and

WHEREAS, the Department of Technology has a need to enter into a contract with Vertiv Corporation, for annual maintenance and related services associated with the Uninterruptible Power Supply (UPS) systems, utilized by the Department of Technology for the period of 4/19/2019 through 4/18/2020, at a cost of \$65,835.42; and

WHEREAS, although maintenance service for the UPS systems are available from other suppliers, Vertiv Corporation is the only factory authorized service provider for the UPS equipment used at the City's data centers, so given the critical need for reliable UPS systems at the City's data centers, it is in the City's best interests to contract directly with Vertiv Corporation, therefore this ordinance requests waiver of the competitive bidding provisions of Columbus City Code Chapter 329; and

WHEREAS, this ordinance will also authorize the Director of the Department of Technology to enter into a contract with Vertiv Corporation for maintenance and support services for the HVAC system and various other equipment, with a coverage term period of 4/19/2019 through 4/18/2020, in the amount of \$50,843.83; and

WHEREAS, this ordinance authorizes contingency funding in the amount of \$30,000.00 for unforeseen circumstances, replacement parts and maintenance services and/or additional travel not covered in the maintenance contract agreements; and

WHEREAS, it is in the City's best interest to waive the competitive bidding provisions of Chapter 329 of the Columbus City Code to enter into the contract for HVAC maintenance and support services; and

WHEREAS, the total amount of funding being requested via this ordinance is \$157,258.04; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology in that it is immediately necessary to authorize the Director of the Department of Technology to enter into a contract agreements with Vertiv Corporation, in order to provide uninterrupted services associated with the Uninterruptible Power Supply (UPS) systems, maintenance and support services for the heating, cooling and ventilation (HVAC) system and various other equipment utilized at the City's data centers , thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

SECTION 1. That this ordinance will authorize the assignment of all past, present and future business done by the City of Columbus with Vertiv Services, Inc. (CC#/FID#: 43-1798453) to Vertiv Corporation (CC#/FID#: 31-0715256). This ordinance will also allow for the remaining unspent/existing balances on the following purchase orders (PO's): PO148887 (line 10; 62010 - \$3,773.21, PO148887 line 20 and PO113193 line 10 - 63260 totaling \$6,805.58) for a total amount of \$10,578.79 to be re-established so that outstanding invoices can be paid. These PO's were previously authorized by Ord. No. 0908-2018 passed by the Columbus City Council on 4/9/2018.

SECTION 2. That the Director of the Department of Technology be and is hereby authorized to enter into contracts with Vertiv Corporation, for annual maintenance and related services associated with the Uninterruptible Power Supply (UPS) systems, utilized by the Department of Technology with a coverage period of 4/19/2019 through 4/18/2020, in the amount of \$65,835.42 in accordance with the sole source provisions of Chapter 329 of the Columbus City Code.

SECTION 3. That the Director of the Department of Technology be and is hereby authorized to enter into contract with Vertiv Corporation for additional equipment; the heating, cooling and ventilation (HVAC) system, Automatic Transfer Switch (ATS), Generators and various other equipment with a coverage term period of 4/19/2019 through 4/18/2020, in the amount of \$50,843.83.

SECTION 4. That the Director of the Department of Technology be and is hereby authorized to establish contingency funds in the amount of \$30,000.00 for unforeseen circumstances, replacement parts and maintenance services and/or additional travel not covered in the maintenance agreements. The total amount of funding being requested via this ordinance is \$157,258.04.

SECTION 5. That the expenditure of \$157,258.04 or so much thereof as may be necessary is hereby authorized to be expended from: **(see attachment 0808-2019 EXP)**

Dept: 47 |Div.: 47-02|Obj Class: 02 |Main Account: 62010|Fund: 5100 |Sub-fund:510001|Program: IT016|Section 3: N/A| Section 4: N/A| Amount: \$3,773.21| {Re-establish PO Funds}

Dept: 47 |Div.: 47-02|Obj Class: 03 |Main Account: 63260|Fund: 5100 |Sub-fund:510001|Program: IT005|Section 3: N/A| Section 4: N/A| Amount: \$6,805.58| {Re-establish PO Funds}

Dept: 47 |Div.: 47-02|Obj Class: 03 |Main Account: 63260|Fund: 5100 |Sub-fund:510001|Program: IT005|Section 3: N/A| Section 4: N/A| Amount: \$65,835.42| {Maintenance Services - UPS/Machinery & Equipment}

Dept: 47 |Div.: 47-02|Obj Class: 03 |Main Account: 63260|Fund: 5100 |Sub-fund:510001|Program: IT005|Section 3: N/A| Section 4: N/A| Amount: \$50,843.83| {Maintenance Services - HVAC/Machinery & Equipment}

Dept: 47 |Div.: 47-02|Obj Class: 02 |Main Account: 62010|Fund: 5100 |Sub-fund:510001|Program: IT016|Section 3: N/A| Section 4: N/A| Amount: \$15,000.00| {T & M Contingency Funds}

Dept: 47 |Div.: 47-02|Obj Class: 03 |Main Account: 63260|Fund: 5100 |Sub-fund:510001|Program: IT005|Section 3: N/A| Section 4: N/A| Amount: \$15,000.00| {T & M Contingency Funds}

SECTION 6. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modifications associated with this ordinance.

SECTION 7. 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 8. That this contract was established in accordance with the sole source provisions of the Columbus City Codes Chapter 329 for the annual maintenance and related services associated with the Uninterrupted Power Supply (UPS).

SECTION 9. That this Council finds it in the City's best interest to waive the competitive bidding provisions of the Columbus City Codes Chapter 329 to enter into the contract for HVAC maintenance and support services.

SECTION 10. 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.