



Legislation Details (With Text)

File #: 1204-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/12/2020 **In control:** Technology Committee

On agenda: 6/1/2020 **Final action:** 6/5/2020

Title: To authorize the Director of the Department of Technology to modify and extend an existing agreement with the Fishel Company for a period of twelve months to May 20, 2021; to extend purchase order PO180532 to May 20, 2021 and to authorize the use of any remaining funds/unspent balance therein; to waive the competitive bidding provisions of Columbus City Code; to authorize the expenditure of \$400,000.00; and to declare an emergency. (\$400,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. FISHEL_CityofColumbus_Yr4_Estimate_050420, 2. PO180532-1, 3. 1204-2020EXP, 4. Fishel-fiber contract_7-9-19_signed, 5. approval email from DPS, 6. 1204-2020BidWaiver

Date	Ver.	Action By	Action	Result
6/5/2020	1	CITY CLERK	Attest	
6/4/2020	1	MAYOR	Signed	
6/1/2020	1	COUNCIL PRESIDENT	Signed	
6/1/2020	1	Columbus City Council	Approved	Pass

This ordinance authorizes the Director of Technology to modify and extend an existing agreement with The Fishel Company for twelve (12) months and adds \$400,000.00 to said agreement to continue maintenance and restoration services of the City's fiber optic infrastructure. This ordinance also authorizes extension of purchase order PO180532 for a period of six (6) months thus making the remaining funds available for that additional period of time.

On June 10, 2019, Ordinance 1441-2019 authorized the Director of the Department of Technology to renew a contract with the Fishel Company, in the amount of \$315,833.68, for maintenance and restoration services in support of the City's fiber optic infrastructure. This contract will expire on May 21, 2020. The Purchasing Division is in the process of bidding out for these services under the city's "best value" procurement code. In the interim, and in agreement with the Purchasing Division, the Department of Technology would like to modify the existing agreement with the Fishel Company to ensure continuation of the above-described services.

As such, the Department of Technology (DoT) requests authorization to:

- Extend purchase order PO180532 for a period of six (6) months from the date of passage of this ordinance, giving DoT full access to the dollar balance available on the purchase order at that time;
- Modify the current agreement with the Fishel Company by extending the current expiration date of May 21, 2020, for a period of twelve (12) months, to May 20, 2021;
- Modify the above-noted agreement by adding \$400,000.00.

The additional \$400,000.00 will be funded by both the Departments of Technology and Public Service, as the remaining work to be done on this contract will primarily benefit the fiber optic network associated with the CTSS.

Finally, this modification will require waiver of the competitive bidding provisions of Columbus City Codes.

Vendor Name: The Fishel Company
C.C. #: 31-4560115 Expiration Date: 04/04/2021
DAX Vendor Account #: 006049

EMERGENCY

Emergency action is requested to expedite authorization of this agreement as the subject contract will expire on May 21, 2020 and must be modified and extended to avoid service interruptions and/or project delays.

FISCAL IMPACT

The \$400,000.00 requested for this modification is available in the operating funds in the Departments of Technology and Public Service. The funds remaining on purchase order PO180532 are available as a remaining balance.

To authorize the Director of the Department of Technology to modify and extend an existing agreement with the Fishel Company for a period of twelve months to May 20, 2021; to extend purchase order PO180532 to May 20, 2021 and to authorize the use of any remaining funds/unspent balance therein; to waive the competitive bidding provisions of Columbus City Code; to authorize the expenditure of \$400,000.00; and to declare an emergency. (\$400,000.00)

WHEREAS, on June 10, 2019, Ordinance 1441-2019 authorized the Director of the Department of Technology to renew a contract with the Fishel Company, in the amount of \$315,833.68, for maintenance and restoration services in support of the City's fiber optic infrastructure; and

WHEREAS, this contract will expire on May 21, 2020; and

WHEREAS the Department of Technology would like to modify the existing agreement with the Fishel Company by adding \$400,000.00 to it and extend it for twelve (12) months, to May 20, 2021, to ensure continuation of the above-described services; and

WHEREAS, the Department of Technology would also like to extend purchase order PO180532 to May 20, 2021, giving DoT full access to the dollar balance available on the purchase order from that date; and

WHEREAS, the Department of Technology requests waiver of relevant sections of Columbus City Codes pertaining to competitive bidding requirements in order to pursue the above-described actions; and

WHEREAS, an emergency exists in the Department of Technology in that it is immediately necessary to authorize the Director to modify and extend an existing agreement with the Fishel Company in order to avoid service interruptions and/or project delays, for the preservation of the public health, peace, property and safety and welfare, now therefore:

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

SECTION 1. That the Director of the Department of Technology be and is hereby authorized to modify and extend an existing agreement with the Fishel Company to May 20, 2021.

SECTION 2. That the expenditure of \$400,000.00, or so much thereof as may be necessary is hereby authorized to be expended as follows in the attachment to this ordinance (**see attachment 1204-2020 EXP**)

SECTION 3. That the extension of purchase order PO180532 to May 20, 2021 is hereby authorized.

SECTION 4. That this Council finds that it is in the City's best interest to waive the competitive bidding provisions of Columbus City Code Chapter 329 and such provisions are hereby waived.

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or all contract modifications associated with this ordinance.

SECTION 6. 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 7. 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.