



Legislation Text

File #: 0023-2012, Version: 2

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with ~~Telvent USA Corporation~~ **Telvent USA, LLC (fka Telvent USA Corporation)**, in the amount of \$760,835.25, for the Hap Cremean Water Plant (HCWP) Automation Upgrade Project, Division of Power and Water Contract Number 2004.

This project consists of the installation of an upgraded Supervisory Control and Data Acquisition (SCADA) system network, compatible with Hap Cremean Water Plant's existing Remote Terminal Units (RTU's) and Programmable Logic Controllers (PLC's), operating under the current Oasys-6.3UX SCADA system, system software, a product of ~~Telvent USA Corporation~~ **Telvent USA, LLC (fka Telvent USA Corporation)**, and including a new Process Information Historian which shall operate, under embedded OSIsoft PI 2010 series software, in parallel with the existing SCADA historical subsystem.

The upgraded Supervisory Control and Data Acquisition (SCADA) system network, including a new Process Information Historian operating, will significantly expand the plant's ability to collect and retrieve process control data. This expansion along with changes in the treatment process in the subsequent HCWP Treatment Improvements project will be necessary to maintain OEPA compliance.

2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT: This project is necessary to maintain and upgrade the Automated Process Control System for the HCWP. Upgrades are necessary to accommodate upcoming (2012) changes in the treatment process at HCWP which in turn will allow the plant to continue to operate efficiently and remain in compliance with the Safe Drinking Water Act and other OEPA standards. The HCWP is an essential and integral component in the Columbus area water supply and treatment infrastructure. Adequate supply of water is essential to economic growth and development. There were no public meetings held regarding this work. The HCWP is a secure facility and is not a publically accessible building. There will be no negative environmental impacts with implementation of this project.

3. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened one bid on December 21, 2011 from Telvent USA Corporation, in the amount of \$760,835.25.

Telvent USA Corporation's bid was deemed the lowest, most responsive and responsible bid in the amount of \$760,835.25. The company's Contract Compliance Number is 52-1366064 (expires 8/18/12, Majority).

On February 2, 2012, the Department of Public Utilities was notified that as of January 23, 2012, Telvent USA Corporation merged into Telvent USA, LLC (a Delaware corporation). The Department received copies of the Certificates of Merger and pursuant to the laws of Maryland and Delaware all of the contracts and other assets of Telvent USA Corporation became vested in Telvent USA, LLC by operation of law without any further act or deed and without any transfer or assignment required. All contractual obligations of Telvent USA Corporation became obligations of Telvent USA, LLC. Their Federal Tax Identification number remains 52-1366064.

Additional information regarding this bidder, description of work, contract time frame and detailed amount can be found on the attached Information form. Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against ~~Telvent USA Corporation~~ **Telvent USA, LLC (fka Telvent USA Corporation)**.

4. EMERGENCY DESIGNATION: The ~~Department~~ **Department** of Public Utilities is requesting that this ordinance be handled in an emergency manner. The SCADA system upgrade must be in process and tested prior to the Hap Cremean Treatment Improvement project which is estimated to commence in the spring of 2012. As the upgrade of the plant commences the SCADA system will need to be upgraded and functioning to meet the the increased data requirements that will result from the Treatment Improvements project.

5. FISCAL IMPACT: A transfer of funds within the Water Works Enlargement Voted Bonds Fund will be necessary, as well as an amendment to the 2011 Capital Improvements Budget. \$760,835.25

To authorize the Director of Public Utilities to execute a construction contract with ~~Telvent USA Corporation~~ **Telvent USA, LLC (fka Telvent USA Corporation)** for the Hap Cremean Water Plant Automation Upgrade Project; for the Division of Power and Water; to authorize a transfer and expenditure of \$760,835.25 within the Water Works Enlargement Voted Bonds Fund; to amend the 2011 Capital Improvements Budget; and to declare an emergency. (\$760,835.25)

WHEREAS, one bid for the Hap Cremean Water Plant (HCWP) Automation Upgrade Project was received and publicly opened in the offices of the Director of Public Utilities on December 21, 2011; and

WHEREAS, the sole bid from Telvent USA Corporation, in the amount of \$760,835.25, was deemed the lowest, most responsive, and responsible bid; and

WHEREAS, the Department of Public Utilities was notified that Telvent USA Corporation merged into Telvent USA, LLC (a Delaware corporation) without any further act or deed and without any transfer or assignment required. All contractual obligations of Telvent USA Corporation became obligations of Telvent USA, LLC. Their Federal Tax Identification number remains 52-1366064; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract for the HCWP Automation Upgrade Project with ~~Telvent USA Corporation~~ **Telvent USA, LLC (fka Telvent USA Corporation)**; and

WHEREAS, it is necessary for this Council to authorize the transfer and expenditure of funds within the Water Works Enlargement Voted Bonds Fund, for the Division of Power and Water; and

WHEREAS, it is necessary to authorize an amendment to the 2011 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Power and Water, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a construction contract with ~~Telvent USA Corporation~~ **Telvent USA, LLC (fka Telvent USA Corporation)**, for the HCWP Automation Upgrade Project, in an emergency manner as this upgrade is necessary to meet the increased data handling requirements that will result from an upcoming plant project which will bid in the second quarter 2012, for the immediate 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 hereby is authorized to award and execute a construction contract for the HCWP Automation Upgrade Project with the lowest, most responsive, and responsible bidder, ~~Telvent USA Corporation~~ **Telvent USA, LLC (fka Telvent USA Corporation)**, 7000A Hollister Rd., Houston, TX 77040; in the

amount of \$760,835.25; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

SECTION 2. That the City Auditor is hereby authorized to transfer \$60,835.25 within the Department of Public Utilities, Division of Power and Water, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept/Div. No. 60-09, Object Level Three 6623, as follows:

Fund No. | Project No. | Project Name | OCA Code | Change

606 | 690425-100000 (carryover) | Hines Rd. Storage Tank | 642900 | -\$60,835.25

606 | 690413-100000 (carryover) | HCWP Automation Upgrade | 606413 | +\$60,835.25

SECTION 3. That the 2011 Capital Improvements Budget is hereby amended as follows:

Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | Change

606 | 690425-100000 (carryover) | Hines Rd. Storage Tank | \$4,923,593 | \$4,862,757 | -\$60,836

606 | 690413-100000 (carryover) | HCWP Automation Upgrade | \$700,000 | \$760,836 | +\$60,836

SECTION 4. That the expenditure of \$760,835.25 is hereby authorized for the HCWP Automation Upgrade Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690413-100000 (carryover), Object Level Three 6623, OCA Code 606413.

SECTION 5. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.

SECTION 6. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 7. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 9. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is 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.