



Legislation Text

File #: 2909-2013, **Version:** 1

BACKGROUND: This legislation authorizes the Director of Public Utilities to modify and increase the contract with Total Compliance LLC for the EMS Hazardous Materials Training Program. Ordinance 0982-2012, passed by City Council on June 4, 2012 authorized the Director of Public Utilities to apply for and accept a Hazardous Materials Training and Planning Grant from the Public Utilities Commission of Ohio (PUCO), for the Department of Public Utilities' EMS Hazardous Materials Training Program. Grant funds in the amount of \$60,009.20 were awarded by the PUCO for this training program. Ordinance 0639-2013, passed April 1, 2013 authorized the appropriation and expenditure of said grant funds. Although the contract with Total Compliance LLC included the development of training materials, the PUCO determined that these costs were non-reimbursable under the grant funding. Due to the fact that the development costs had already been paid for from the grant funds, it is now necessary to authorize the City Auditor to make the necessary expenditure corrections so as to reimburse grant fund purchase order EL014238, and to pay for the non-reimbursable costs associated with the development of training materials as necessary.

CONTRACT COMPLIANCE NO: Total Compliance LLC (20-3604041), Expires 1/4/2014
Total Compliance LLC 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. 1 is \$8,524.00 for the Division of Sewerage and Drainage (Sanitary), \$1,818.00 for the Division of Power, \$8,974.00 for the Division of Water and \$684.00 for the Division of Sewerage and Drainage (Storm Sewer), for a total modification amount of ADD \$20,000.00. Total contract amount including this modification is \$80,009.20.
2. Reason additional funds were not foreseen: The need for additional funds were known at the time of the original contract but were inadvertently not established at the time of authorization to expend the grant funds.
3. Reason other procurement processes not used: Work under this modification is a continuation of services included in the scope of the original contract. No lower pricing/more attractive terms and conditions are anticipated at this time.
4. How was cost determined: The cost was included in the original contract proposal but inadvertently not established at the time the contract was entered into.

ECONOMIC IMPACT: This expenditure will provide the necessary funding for the payment of costs incurred for the development of training materials for the EMS Hazardous Materials Training Program.

EMERGENCY DESIGNATION: Emergency designation is requested for this modification to allow for the establishment of funding for the non-reimbursable costs and to allow the City Auditor to make the necessary expenditure corrections so as to reimburse grant fund purchase order EL014238, and to pay the cost of the non-reimbursable training development materials as necessary.

FISCAL IMPACT: There is a need for \$20,000.00 for the payment of non-reimbursable training materials development costs that were inadvertently paid with grant funds that must now be replenished on the grant purchase order EL014238. There is sufficient budget authority within the Sewer Operating Fund in the amount of \$8,524.00, the Electricity

Operating Fund in the amount of \$1,818.00, the Water Operating Fund in the amount of \$8,974.00 and the Storm Sewer Operating Fund in the amount of \$684.00, for these expenditures.

To authorize the Director of Public Utilities to modify and increase the contract with Total Compliance LLC for the EMS Hazardous Materials Training Program for the Department of Public Utilities; to authorize the expenditure of \$8,524.00 from the Sewer Operating Fund, \$1,818.00 from the Electricity Operating Fund, \$8,974.00 from the Water Operating Fund and \$684.00 from the Storm Sewer Operating Fund, to authorize the City Auditor to make the necessary expenditure corrections to reimburse the grant fund purchase order and pay the cost of the non-reimbursable training development materials for said program, and to declare an emergency. (\$20,000.00)

WHEREAS, Ordinance 0982-2012; passed June 4, 2012, authorized the Department of Public Utilities to apply for and accept a Hazardous Materials Training and Planning Grant from the Public Utilities Commission of Ohio (PUCO), for the Department of Public Utilities' EMS Hazardous Materials Training Program; and

WHEREAS, Grant funds in the amount of \$60,009.20 were awarded by the PUCO for this training program; and

WHEREAS, Ordinance 0639-2013, passed April 1, 2013 authorized the appropriation and expenditure of said grant funds; and

WHEREAS, the Department of Public Utilities entered into contract with Total Compliance LLC for the EMS Hazardous Materials Training Program; and

WHEREAS, the contract with Total Compliance LLC included the development of training materials, but when submitted to the PUCO for reimbursement they determined that these costs were non-reimbursable under the grant funding; and

WHEREAS, the Department of Public Utilities wishes to modify and increase the contract to provide additional funding necessary to cover the costs for the training materials development portion of the contract; and

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

WHEREAS, it is now necessary to authorize the City Auditor to make the necessary expenditure corrections so as to reimburse grant fund purchase order EL014238, and to pay for the non-reimbursable costs associated with the development of training materials; and

WHEREAS, it is necessary to authorize the Director of Public Utilities to expend these funds for the purpose of paying for the development of training materials for the Hazardous Material Training Program for the Department of Public Utilities personnel; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to authorize the Director of Public Utilities to modify and increase the existing contract with Total Compliance LLC to allow for the payment of the non-reimbursable costs; to authorize the City Auditor to make the necessary expenditure corrections so as to reimburse grant fund purchase order EL014238, and to pay for the non-reimbursable costs associated with the development of training materials as necessary, 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 is hereby authorized to modify and increase Contract No. EL014238 with Total Compliance LLC for the EMS Hazardous Materials Training Program; in accordance with the terms and conditions on file in the office of the Department of Public Utilities. Total amount of modification No. 1 is ADD \$20,000.00. Total contract amount including this modification is \$80,009.20.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

SECTION 3. That the expenditure of \$20,000.00, or as much thereof as may be needed, be and the same hereby is authorized to pay the cost of this contract, as follows:

Sewer Operating Fund: 650
Dept./Div.: 60-05
OCA: 605006
Object Level 1: 03
Object Level 3: 3331
Amount: \$8,524.00

Electricity Operating Fund: 550
Dept./Div.: 60-07
OCA: 600700
Object Level 1: 03
Object Level 3: 3331
Amount: \$1,818.00

Water Operating Fund: 600
Dept./Div.: 60-09
OCA: 601849
Object Level 1: 03
Object Level 3: 3331
Amount: \$8,974.00

Storm Sewer Operating Fund: 675
Dept./Div.: 60-15
OCA: 675002
Object Level 1: 03
Object Level 3: 3331
Amount: \$684.00

Total Amount: \$20,000.00

SECTION 4. That the City Auditor be and is hereby authorized to make the necessary expenditure corrections so as to reimburse grant fund purchase order EL014238, and to pay the non-reimbursable costs associated with the development of training materials as necessary.

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.