



## Legislation Text

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**File #: 0695-2017, Version: 1**

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### **BACKGROUND:**

This ordinance authorizes the Director of the Department of Technology to continue an agreement with Emerson Network Power for maintenance and related services on the City's Uninterrupted Power Supply (UPS) systems. The City entered into an agreement (EL006410) for Liebert UPS maintenance services, authorized by ordinance 1160-2006. Last year, that agreement was continued for another year by authority of ordinance 0394-2016, passed March 17, 2016, through purchase order PO007823. Approval of this ordinance will provide UPS maintenance services for the period April 19, 2017 to April 18, 2018, at a total cost of \$78,009.00.

Although maintenance services for Liebert UPS systems are available from other suppliers, Emerson Network Power 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, Emerson's policy is to bill the end user directly and not the third party service provider; nor does Emerson 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 Emerson Network Power. As such, this ordinance is being submitted in accordance with the provisions of sole source procurement of the City of Columbus Code Chapter 329.

### **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 2015 and 2016, the amounts of \$78,007.60 and \$78,009.00, were legislated respectively for maintenance support and related services with Emerson Network Power, Liebert Services, Inc., formerly known as Liebert Global Services, for the batteries UPS system. Funding for the 2017 contract in the amount of \$78,009.00 is budgeted and available within the Department of Technology, Information Services Division, Information Services Operating Fund; bringing the aggregate contract total to \$720,289.90.

### **CONTRACT COMPLIANCE NUMBER:**

Vendor: Emerson Network Power, Liebert Services, Inc.; CC#/FID#: 43-1798453; (DAX Vendor Acct#: 008034)  
Expiration Date: 09/17/2017

To authorize the Director of the Department of Technology to continue a contract with Emerson Network Power, Liebert Services, Inc., formerly known as Liebert Global Services, for annual maintenance and related services associated with the Uninterrupted Power Supply (UPS) systems; in accordance with the sole source provisions of the Columbus City Code; to authorize the expenditure of \$78,009.00 from the Department of Technology, Information Services Division, Information Services Operating Fund; and to declare an emergency. (\$78,009.00)

**WHEREAS**, the Department of Technology has a need to continue a contract with Emerson Network Power, Liebert Services, Inc., formerly known as Liebert Global Services, for annual maintenance and related services associated with the Uninterruptible Power Supply (UPS) systems, utilized by the Department of Technology for the period of 4/19/2017 through 4/18/2018, at a cost of \$78,009.00.

**WHEREAS**, this contract covers services for computer and data centers at three (3) separate locations, and allows for continuous operations when power fluctuations and failures occur. The original contract provided language that allows for modifications and renewals for additional coverage periods at the end of each year's coverage period, contingent upon the express written approval of all parties and the City's appropriation and authorization of funds; and

**WHEREAS**, although maintenance service for Liebert UPS systems are available from other suppliers, Emerson Network Power, Liebert Services, Inc. ("Emerson") 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 Emerson; and

**WHEREAS**, this ordinance requests and is therefore being submitted in accordance with the sole source provisions of the Columbus City Code Chapter 329; 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 continue this annual contract in order to provide uninterrupted service associated with the Uninterruptible Power Supply (UPS) systems 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 the Director of the Department of Technology be and is hereby authorized to continue an annual contract with Emerson Network Power, Liebert Services, Inc., formerly known as Liebert Global Services, 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 4/19/2017 through 4/18/2018, in the amount of \$78,009.00.

**SECTION 2:** That the expenditure of \$78,009.00 or so much thereof as may be necessary is hereby authorized to be expended from: **(see attachment 0695-2017 EXP)**

**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:** \$78,009.00 | {Maintenance Services - Machinery & Equipment}

**SECTION 3:** 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 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 said contract shall be awarded in accordance with the sole source provisions of Chapter 329 of the Columbus City Code.

**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.