



## Legislation Text

File #: 0424-2018, Version: 1

### **BACKGROUND:**

This ordinance authorizes the Director of the Department of Technology to renew contract with The Fishel Company for maintenance and restoration services in support of the City's fiber optic infrastructure, in the amount of \$315,833.68. The coverage term period will be for one (1) year with the term period beginning May 22, 2018 through May 21, 2019. The contract will provide for all labor, equipment, and materials needed to ensure reliable operation of the City's fiber network. The original contract agreement was authorized by Ord. No. 1282-2017, passed on June 5, 2017 through purchase order PO068822 (RFQ004871 solicitation/project number 47-03302017) for the provision of all labor, equipment, and materials needed to ensure reliable operation of the City's fiber network. The original contract included options to renew for two (2) additional one (1) year terms, subject to mutual agreement and approval of proper City authorities. This ordinance/legislation represents the first of the two (2) allowable renewals.

This ordinance also authorizes the Director of the Department of Technology to modify the contract with The Fishel Company for maintenance and restoration services in support of the City's fiber optic infrastructure, in the amount of \$42,000.00, to cover the remaining term from year one (1) for the months of April and May of 2018.

The City owns approximately 500 miles of fiber optic cabling in various strand count quantities throughout the City with an additional 100 miles going into service September of 2018. Services are needed to regularly inspect and maintain these assets and provide emergency restoration in the event of unforeseen damage to the fiber network.

The 2016 State of Ohio mandate requiring participation in the Ohio Utilities Protection Service (OUPS) has increased the City's expenditures related to cable locate ticket screening and the corresponding cable locate ticket marking of our fiber assets. The quantity of these tickets fluctuate depending on the construction activities throughout our fiber service area and our expanding fiber footprint.

### **Contract modification in the amount of \$42,000.00**

#### **1.1 Amount of additional funds to be expended: \$42,000.00**

The original contract amount total:	\$315,833.68
First year renewal total:	\$315,833.68
Modification #1 (2018) total:	<u>\$42,000.00</u>
<b>Total:</b>	<b>\$673,667.36</b>

#### **1.2 Reason additional goods/services could not be foreseen**

With the implementation of the state mandated Ohio Utility Protection Services program (OUPS), effective January 1, 2016, the fiber optic cable location requests and ticket screening have increased and require additional funding. Actual numbers vary per month and locate costs have increased due to increased construction around the city and its roadways.

#### **1.3 Reason other procurement processes are not used:**

The City has a fiber maintenance contract in place with The Fishel Company. This contract is in the second year of a three year term period.. The purpose of this contract modification is to provide additional funds to cover the remaining term from year one (1) for the months of April and May of 2018, in the amount of \$42,000.00.

**1.4 How cost of modification was determined:**

The cost of the additional services were estimated by averaging past cable locate expenditures to an approximate monthly cost. If the need arises, and excess funds are available, these additional funds can also be utilized to cover emergency fiber repair.

**CONTRACT COMPLIANCE:**

Vendor Name: The Fishel Company

C.C. #: 31-4560115;

Expiration Date: 04/06/2019

Dax Vendor Account #: 006049

**FISCAL IMPACT:**

In years 2016 and 2017, the Department of Technology expended \$240,000.00 and \$315,833.68, respectively, with the Gudenkauf Corporation and the Fishel Company for maintenance and restoration services in support of the City's fiber optic infrastructure. Total funding for this year (2018) in the amount of \$357,833.68 is required. The first year of the Fishel Contract was established May 22, 2017 with (two) one year renewals. Ordinance No. 1282-2017 in the amount of \$315,833.68 was expended in the first year of the contract. The second year is projected to require \$357,833.68, which includes the renewal amount of \$315,833.68 and the modification amount of \$42,000.00 to cover the remaining term from year one (1) for the months of April and May of 2018. The Department of Technology, Information Services Division, Information Services Operating Fund has budgeted funds for this service contract totaling \$175,700.00 leaving a shortfall of \$182,133.68 that is anticipated to be covered from other savings. Including this renewal and modification, the aggregate total contract amount is \$673,667.36.

To authorize the Director of the Department of Technology to renew and modify a contract with The Fishel Company for maintenance and restoration services in support of the City's fiber optic infrastructure; to authorize the expenditure of \$357,833.68 from the Department of Technology, Information Services Division, Information Service Operating Fund. (\$357,833.68)

**WHEREAS**, the City owns approximately 500 miles of fiber optic cabling in various strand count quantities throughout the City and services are needed to regularly inspect and maintain these assets, and provide emergency restoration in the event of unforeseen damage to the fiber network; and

**WHEREAS**, the original contract agreement was authorized by Ord. No. 1282-2017, passed on June 5, 2017 through purchase order PO068822 (RFQ004871 solicitation/project number 47-03302017) for the provision of all labor, equipment, and materials needed to ensure reliable operation of the City's fiber network. The original contract agreement included options to renew for two (2) additional one (1) year terms, subject to mutual agreement and approval of proper City authorities; and

**WHEREAS**, this ordinance authorizes the Director of the Department of Technology to renew a contract with The Fishel Company for maintenance and restoration services in support of the City's fiber optic infrastructure, in the amount of \$315,833.68. The coverage term period will be for one (1) year with the term period beginning May 22, 2018 through May 21, 2019. This ordinance represents the first of the two (2) allowable renewals; and

**WHEREAS**, this ordinance also authorizes the Director of the Department of Technology to modify the contract with The Fishel Company for maintenance and restoration services in support of the City's fiber optic infrastructure, in the amount of \$42,000.00, to cover the remaining term from year one (1) for the months of April and May of 2018; and

**WHEREAS**, the total amount of funding being requested via this legislation is \$357,833.68; and

**WHEREAS**, the 2016 State of Ohio mandate requiring participation in the Ohio Utilities Protection Service (OUPS) has increased the City's expenditures related to cable locate ticket screening and the corresponding cable locate ticket marking of our fiber assets causing the quantity of these tickets to fluctuate depending on the construction activities throughout our fiber service area; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Technology (DoT) to modify a contract with The Fishel Company to provide these services on the city's fiber optic network, 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 renew a contract with The Fishel Company for maintenance and restoration services in support of the City's fiber optic infrastructure in the amount of \$315,833.68. The coverage term period will be for one year with the term period beginning May 22, 2018 through May 21, 2019. Subject to mutual agreement and approval of proper City authorities, this ordinance represents the first of two (2) allowable renewals.

**SECTION 2.** That the Director of the Department of Technology, be and is hereby authorized to modify the contract with The Fishel Company for maintenance and restoration services in support of the City's fiber optic infrastructure, in the amount of \$42,000.00, to cover the remaining term from year one (1) for the months of April and May of 2018. The total amount of funding associated with this ordinance is \$357,833.68.

**SECTION 3.** That the expenditure of \$357,833.68 or so much thereof as may be necessary is hereby authorized to be expended from the Department of Technology, Information Services Division, Information Services Operating Fund per the accounting codes in the attachment to this ordinance: **(please see attachment 0424-2017 EXP)**

Department: 47 | Division: 47-02 | Object Class: 03 | Main Account: 63050 | Fund: 5100 | Subfund: 510001 | Program: IT015 | Section 3: 470201 | Section 4: IT01 | Section 5: IT0103 | Amount: \$357,833.68

**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 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 6.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.