



## Legislation Text

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**File #: 1761-2018, Version: 1**

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The purpose of this ordinance is to authorize the Director of Public Utilities to enter into a service agreement with Johnson Controls Fire Protection LP (formerly SimplexGrinnell LP) for FEM 1390.2 Life Safety System Maintenance Services. This contract will provide for the performance of inspections, diagnostic tests and repairs for all accessible peripheral devices currently connected to the facility life safety systems at the Jackson Pike and Southerly Wastewater Treatment Plants and the Sewer Maintenance Operations Center (hereinafter referred to as "SMOC") at 1250 Fairwood Ave.

At the Jackson Pike and Southerly Wastewater Treatment Plants and SMOC, there is a need for the performance of inspections and diagnostic tests for all accessible peripheral devices currently connected to the Fire Protection Systems. Quotes for these services from the company dated May 24, 2018 are attached.

This ordinance is being submitted in accordance with the Sole Source provisions of Columbus City Code, Section 329. Johnson Controls Fire Protection LP is the sole provider of the monitoring, maintenance and diagnostic testing of the systems.

This contract covers a five-year (5) period from July 1, 2018 through and including June 30, 2023. For each year of the five year contract, funds for the services shall be reviewed and expenditures shall be approved by ordinance of City Council, and the appropriation and certification of funds by the City Auditor. The maximum obligation of the City, for services described in this agreement, is limited to the amount of \$67,390.57 for the period of July 1, 2018 through and including June 30, 2019. This contract includes \$10,000.00 to allow for the establishment of a contingency fund to be used as necessary if there is a repair identified outside of the service agreement. If unforeseen issues or difficulties are encountered that would require additional funding, a modification would be requested.

Tyco International plc, SimplexGrinnell LP's ultimate indirect parent company, and Johnson Controls, Inc. recently completed a merger to create Johnson Controls International plc. Upon conclusion of the merger, SimplexGrinnell LP changed its name to Johnson Controls Fire Protection LP. The Federal Identification Number (FID) is unchanged. This ordinance authorizes all past, present, and future business done by the City of Columbus with SimplexGrinnell LP to be assigned to Johnson Controls Fire Protection LP.

**EMERGENCY DESIGNATION:** This ordinance is being submitted as an emergency to allow for the prompt execution of the agreement to enable the needed upgrades and monitoring so that maintenance is not delayed for the safety and the protection of the facilities.

**SUPPLIER:** Johnson Controls Fire Protection LP (58-2608861) Expires 8/17/18

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.

**FISCAL IMPACT:** \$67,390.57 is needed and budgeted for this contract within the Sanitary Sewer Operating Fund.

\$71,419.15 was spent in 2017

\$64,227.51 was spent in 2016

To authorize the Director of Public Utilities to enter into an agreement with Johnson Controls Fire Protection LP for FEM 1390.2 Life Safety System Maintenance Services for the Division of Sewerage and Drainage in accordance with the provisions of Sole Source procurement of the Columbus City Code; to authorize the expenditure of \$67,390.57 from the Sanitary Sewer Operating Fund; to modify all contracts and agreements with SimplexGrinnell LP by assigning all past, present, and future contracts and agreements to Johnson Controls Fire Protection LP; and to declare an emergency. (\$67,390.57)

**WHEREAS**, Johnson Controls Fire Protection LP (formerly SimplexGrinnell LP) provides monitoring, maintenance and inspection of the security system which includes Fire Alarm Systems on a 24 hour, 7 days a week basis, for the 1250 Fairwood Complex (SMOC), and the Jackson Pike and Southerly Wastewater Treatment Plants; and

**WHEREAS**, it is anticipated that services under this agreement will be provided over a period of five (5) years on a year-to-year basis based on funding availability, mutual agreement by both parties, certification of funds by the City Auditor, and approval of Columbus City; and

**WHEREAS**, the City may, at any time during the performance of the services under this Agreement, propose a modification of the Contract by a properly authorized written instrument. With the approval of City Council and execution of such modification by both parties hereto, it shall be fully incorporated into this Contract and shall govern all subsequent performance under the Contract; and

**WHEREAS**, Johnson Controls Fire Protection LP (formerly SimplexGrinnell LP) is the sole provider for the above mentioned services, therefore, this ordinance is being submitted in accordance with the Sole Source provisions of Columbus City Code; and

**WHEREAS**, Tyco International plc, SimplexGrinnell LP's ultimate indirect parent company, and Johnson Controls, Inc. recently completed a merger to create Johnson Controls International plc; and

**WHEREAS**, Upon conclusion of the merger, SimplexGrinnell LP changed its name to Johnson Controls Fire Protection LP. The Federal Identification Number (FID) is unchanged. This ordinance authorizes the assignment of all past, present, and future business done by the City of Columbus with SimplexGrinnell LP to be assigned to Johnson Controls Fire Protection LP; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to authorize the Director of Public Utilities to establish a contract for FEM 1390.2 Life Safety System Maintenance Services, without delay, 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 enter into an agreement with Johnson Controls Fire Protection LP (formerly SimplexGrinnell LP) for FEM 1390.2 Life Safety System Maintenance Services for the Division of Sewerage and Drainage in accordance with the Sole Source provisions of Columbus City Code, Chapter 329.

**SECTION 2.** That the Director of Public Utilities be and is hereby authorized to modify all contracts and agreements with SimplexGrinnell LP by assigning all past, present, and future contracts and agreements to Johnson Controls Fire Protection LP

**SECTION 3.** That the expenditure of \$67,390.57 or so much thereof as may be needed, be and the same hereby is authorized in Fund 6100 Sewerage System Operating Fund in object class 03 Services per the accounting codes in the attachment to 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 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.