1. BACKGROUND
In August of 2016, USDOT awarded the City of Columbus up to $40 million in Federal funds (for the USDOT Smart City Challenge project) and Vulcan awarded the City up to $10 million in private grant funding (for the Vulcan Smart City Challenge project) to assist in implementation of the City's proposal to demonstrate how advanced data and intelligent transportation systems (ITS) technologies and applications can be used to reduce congestion, keep travelers safe, protect the environment, respond to climate change, connect underserved communities, and support economic vitality.

Ordinance 1901-2017 authorized the Public Service Director to transfer signature authority to the Chief Innovation Officer or the Chief Innovation Officer's designee for all past, present and future Smart Columbus, USDOT Smart City Challenge, and Paul G Allen Family Foundation (Vulcan) contracts, documents, and projects.

After meetings with USDOT concerning the project in September 2017, it was determined the Smart Columbus Program Management Office did not have in-house or contracted expertise to help shape the project's Smart Columbus Operating System.

USDOT then approved the Smart Columbus team's request for a single-source procurement waiver to contract with Proteon to perform the needed services for the project. This waiver from USDOT was required to ensure the City could be reimbursed for expenses associated with work Proteon performed. Ordinance 3026-2017 waived the competitive bidding requirements of Columbus City Code and authorized the Chief Innovation Officer to enter into a professional services contract with Proteon, in the amount of up to $386,300.00 for the provision of information technology services for the Smart City Challenge project.

The purpose of this second planned contract modification is to add funding to the original contract to allow for the continuation of requisite services by Proteon through October 31, 2019, contingent upon receipt of additional funding obligated by USDOT.

Original contract amount:	$386,300.00 (Ord. 3026-2017, PO095766)
Total Modification No. 1:	$262,109.00 (Ord. 1642-2018, POXXXXX)
This Modification No. 2:	$575,000.00
Total Contract amount including all modifications:	$1,223,409.00

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Proteon.

This legislation authorizes the Chief Innovation Officer to execute a second planned contract modification with Proteon Software Inc. (Proteon) in the total amount of up to $575,000.00 for the continued provision of information technology services for the Smart City Challenge project.

This ordinance also authorizes the City's Chief Innovation Officer, on behalf of the Department of Public Service, to accept additional grant funds in the amount of $15,000,000.00 from the US Department of Transportation and contingent upon the execution of the revised amendment with USDOT and additional funding in the amount of $15,000,000.00.

Due to the nature of the USDOT and Vulcan grant reimbursements, professional support for the Smart City Challenge Program will be awarded in annual funding phases. Additional contract modifications are expected on an annual basis throughout the four-year Smart City Challenge grant period. Legislation authorizing the Chief Innovation Officer to

execute another planned contract modification with Proteon is projected to be brought before City Council for approval by September 30, 2018.

2. CONTRACT COMPLIANCE
The contract compliance number for Proteon is CC023394, which expires on October 10, 2019.

3. FISCAL IMPACT
Funding in the amount of $575,000.00 will be available in Fund 7768 (Smart City Grant Fund), Grant G591610 (USDOT Grant - Smart City). Approval of this ordinance is contingent upon the execution of the revised amendment with USDOT and additional funding in the amount of $15,000,000.00.

4. EMERGENCY DESIGNATION
Emergency action is requested to allow for the timely execution of the aforementioned contract modification so as to preclude any disruption in the provision of information technology services related to the Smart City Challenge and to adhere to the terms and conditions of that program.

To authorize the City's Chief Innovation Officer, on behalf of the Department of Public Service, to accept additional grant funds in the amount of $15,000,000.00 from the US Department of Transportation; to authorize the appropriation of funds in the Smart City Grant Fund contingent upon the execution of the revised amendment with USDOT; to authorize the City's Chief Innovation Officer to execute a contract modification with Proteon relative to the Smart City Challenge; to authorize the expenditure of up to $575,000.00 from the Smart City Grant (Fund 7768) to pay for the contract modification; and to declare an emergency. ($575,000.00)

WHEREAS, on December 7, 2015, the U.S. Department of Transportation (USDOT) announced the Smart City Challenge, a collaborative effort by the USDOT and Vulcan, Inc. seeking to "create a fully integrated, first-of-its kind city that uses data, technology and creativity to shape how people and goods move in the future"; and

WHEREAS, on January 11, 2016, Columbus City Council passed Ordinance 0064-2016 supporting the City's application to the Smart City Challenge; and

WHEREAS, on June 23, 2016, USDOT awarded the City of Columbus up to $40 million in federal funds and up to $10 million in matching funding from Vulcan, Inc., to assist in implementation of the City's proposal to demonstrate how advanced data and intelligent transportation systems (ITS) technologies and applications that can be used to reduce congestion, keep travelers safe, protect the environment, respond to climate change, connect underserved communities, and support economic vitality; and

WHEREAS, Ordinance 1901-2017 authorizes the Public Service Director to transfer signature authority to the Chief Innovation Officer or the Chief Innovation Officer's designee for all past, present and future Smart Columbus, USDOT Smart City Challenge, and Paul G Allen Family Foundation (Vulcan) contracts, documents, and projects; and

WHEREAS, Ordinance 3026-2017 waived the competitive bidding requirements of Columbus City Code and authorized the Chief Innovation Officer to enter into a professional services contract with Proteon for the provision of information technology services for the Smart City Challenge project; and

WHEREAS, it is necessary to execute a second planned contract modification with Proteon to add additional funding for the USDOT Smart City Challenge program management services; and

WHEREAS, the City's Chief Innovation Officer, on behalf of the Department of Public Service, to accept additional grant funds in the amount of $15,000,000.00 from the US Department of Transportation; and

WHEREAS, acceptance of the funds is contingent upon the execution of an amended grant agreement with USDOT and additional funding in the amount of $15,000,000.00; and

WHEREAS, an emergency exists in the usual daily operation of the Smart City Program Office in that it is immediately necessary to authorize the Chief Innovation Officer to execute a contract modification with Proteon authorizing the encumbrance and expenditure of requisite engineering and design funding so as to prevent unnecessary delays in the USDOT Smart City Challenge program and to adhere to the terms and conditions of that program, 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 City's Chief Innovation Officer, on behalf of the Department of Public Service, is hereby authorized and directed to accept additional grant funds in the amount of $15,000,000.00 from the US Department of Transportation upon execution of an amended grant agreement.

SECTION 2. That from the unappropriated monies in the SMART City Grants Fund, Fund No. 7768, and from all monies estimated to come into said Fund from any and all sources, the sum of $15,000,000.00 is hereby appropriated to the SMART City Grants Fund as per accounting codes in the attachment to this ordinance, contingent upon receipt of an executed grant agreement from the Department of Transportation.

SECTION 3. That the City's Chief Innovation Officer, on behalf of the Department of Public Service, be and is hereby authorized to execute a professional services contract modification with Proteon Software Inc., 7023 Fitzgerald Rd. Dublin, Ohio, 43017, for services related to the USDOT Smart City Challenge.

SECTION 4. That the expenditure of $575,000.00, or so much thereof as may be necessary, is hereby authorized in Fund 7768 (Smart City Grant Fund), Dept-Div 5912 (Division of Design and Construction), Grant G591610 (Smart City USDOT Grant), in Object Class 03 (Professional services), contingent upon receipt of the executed grant agreement and additional funding obligated by USDOT, per the accounting codes in the attachment to this ordinance.

SECTION 5. That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

SECTION 6. 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 7. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account 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 are no longer required for said project.

SECTION 8. 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 10 days after passage if the Mayor neither approves nor vetoes the same.

powered by Legistar™