Legislation Text

File #: 2733-2018, **Version:** 1

This legislation authorizes the Director of Public Utilities to modify and increase funding to an existing service agreement with Tokay Software, Inc. for services for Backflow Prevention Management Software.

On December 4, 2015, the Department of Public Utilities received one (1) proposal in response to an RFP for backflow prevention management software services. Tokay Software, Inc. was selected to provide this service. For each year of the ten-year contract, funds for the services shall be reviewed, and expenditures shall be approved by ordinance of City Council, and appropriation and certification of funds by the City Auditor. The first year of the agreement (2016), the contract was funded in the amount of $43,262.50. The second year of the agreement (2017) the contract was funded in the amount of $45,200.00. The third year of the agreement (2018) the contract was funded in the amount of $45,200.00. This Ordinance will be for year 4 - March 1, 2019 through February 29, 2020. The maximum obligation of the City for services described in this agreement for the fourth year of the contract (2019) is ADD $45,200.00 unless all of the following occur: this agreement is modified in writing; City Council enacts an ordinance approving the new amount; and the Auditor has certified the additional funds.

Tokay Software, Inc. publishes and supports cross-connection control program management software for use in managing backflow prevention within a water distribution system. This software is necessary to allow for: management of the office database; management of the office workflow; and online submittal of up to 42,000 annual backflow prevention assembly test reports processed by the Backflow Compliance Office as part of their regulatory compliance program. The ongoing software support allows DPU's users of the software to continue to search customer records, create notification letters for the regulatory enforcement duties of the office, and to monitor customer compliance with the protection, testing, and survey requirements of City Code, DPU Rules and Regulations, and the Ohio Administrative Code.

SUPPLIER: Tokay Software, Inc. Vendor #000249 CC#04-3491562, expired 4/5/2018 (MAJ) working with vendor to update.

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 is ADD $45,200. Total contract amount including this modification is $178,862.50.

2. Reason additional funds were not foreseen: The need for additional funds was known at the time of the initial contract. This legislation adds additional funding for the fourth year of a ten-year contract.

3. Reason other procurement processes were 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 Department of Public Utilities and Tokay Software, Inc. negotiated the cost of this contract.

FISCAL IMPACT:

$45,200 is needed and budgeted in the 2018 Water Operating Fund for this expenditure.

Future anticipated expenditures for this project (these are estimated costs and are subject to change):
$45,200 per year 2019 - 2025

Historical actual spending for Fund 6000 for similar services:

2017 - $39,598.00
2016 - $24,522.50

To authorize the Director of Public Utilities to modify and increase funding to an existing service agreement with Tokay Software, Inc. for backflow prevention management software services and to authorize the expenditure of $45,200.00 from the Water Operating Fund. ($45,200.00)

WHEREAS, the Department of Public Utilities has a continuing need for backflow prevention management software services in order to track customer compliance with, and enforcement of, City Code 1113.01 and Department of Public Utilities Rule and Regulation 09-02; and

WHEREAS, the Division of Water is required by the Ohio EPA and the Ohio Administrative Code to run an effective cross-connection and backflow control program; and

WHEREAS, after completing the RFP process and proposal evaluation in 2015, the selection committee recommended an award be made to Tokay Software, Inc.; and

WHEREAS, services under this agreement are to be provided over a period of ten years with funds being reviewed and approved each year of the ten-year contract by City Council and the Mayor, and Auditor's certification of funds; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Water, to authorize the Director to modify and increase funds to this existing agreement with Tokay Software, Inc. in order to continue using backflow prevention management software services for the Department of Public Utilities; 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, for the fourth year of a ten (10) year, its contract with Tokay Software, Inc. for software support services and hosting services for an online backflow prevention assembly test report submittal portal.

SECTION 2. That the expenditure of $45,200 or so much thereof as may be needed, be and the same hereby is authorized for the third year of the contract in Fund 6000 Water Operating Fund in object class 03 Services per the accounting codes in the attachment to this ordinance.

SECTION 3. That said firm shall conduct the work to the satisfaction of the Director of Public Utilities.

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