



## Legislation Text

**File #:** 1809-2019, **Version:** 1

**BACKGROUND:** To change the company name and Federal Identification Number for an existing service agreement with Tokay Software, Inc. for services for Backflow Prevention Management Software. (Ord 0783-2016) This ordinance authorizes the assignment of all past, present and future business done by the City of Columbus with Tokay Software, Inc., FID 04-3491562 to Linko Technology Inc. (DBA Tokay Software) FID 47-2917533. Linko Technology Inc. notified the City of Columbus on May 24, 2019 that they acquired Tokay Software, Inc., effective April 30, 2019 with no immediate changes with regard to the business operations of Tokay.

- 1. Amount of additional funds:** Existing PO152260 has a remaining amount of \$35,233.00 that will be to be closed out and replaced with a new PO with the new FID 47-2917533.
- 2. Reason additional needs were not foreseen:** The current supplier was acquired by another company.
- 3. Reason other procurement processes not used:** Currently on the 4<sup>th</sup> year of a 10 year contract.
- 4. How cost was determined:** Terms and conditions are in accordance with the original agreement.

**FISCAL IMPACT:** PO152260 was set up for \$45,000.00 per Ord 2733-2018. \$9,767 has been paid out, leaving a remainder of \$35,233.00. That PO will be closed out and a new PO for \$35,233.00 will need to be established.

In order to maintain uninterrupted service for the Division of Water for an existing service agreement, for services for Backflow Prevention Management Software, this ordinance is being submitted as an emergency.

To authorize the Director of Public Utilities to modify past, present and future purchase orders, and negotiate contract modifications with Tokay Software, Inc., to reflect a name change to the company as a result of new ownership; to authorize the expenditure of \$35,233.00 from the Water Operating Fund, and to declare an emergency. (\$35,233.00)

**WHEREAS,** the Department of Public Utilities established a contract with Tokay Software, Inc. for Backflow Prevention Management Software.; and

**WHEREAS,** Linko Technology Inc. (DBA Tokay Software) acquired Tokay Software, Inc., in addition to notifying the City of the purchase, Linko Technology Inc. (DBA Tokay Software) has agreed to honor the past, present and future purchase orders, and negotiate contract modifications established from Ord 0783-2016, and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Water, in that it is immediately necessary to provide the necessary establishment of funding under the new company name to allow for the payment of services for all past, present and future business done by the City with Linko Technology Inc. (DBA Tokay Software) for the immediate preservation of 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 Public Utilities is hereby authorized to modify an existing service agreement with Tokay Software, Inc. for services for Backflow Prevention Management Software on all past, present and future purchase orders pursuant to the contracts to reflect the change of the company name and FID number from Tokay Software, Inc., FID 04-3491562 to Linko Technology Inc. (DBA Tokay Software) FID 47-2917533.

**SECTION 2.** That this modification is in accordance with the relevant provisions of Chapter 329 of the Columbus City Codes.

**SECTION 3.** That the expenditure of \$35,233.00 or so much thereof as may be needed, is hereby authorized in Fund 6000 Water Operating Fund, in object class 03 Services, in the amount of \$35,233.00 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 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 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.