



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 0409-2021, **Version:** 1

This legislation authorizes the Director of Public Utilities to enter into multiple indefinite quantity contracts for the Project Dry Basement: Backwater Valve Installation and/or Sump Pump program, the work consists of installing backwater valves and sump pumps and other such work as may be necessary to complete the contract for the Division of Sewerage and Drainage. The goal of this program is designed to prevent sewer backups in single and two-family homes in Columbus due to surcharging in city sewers from heavy rain or sewer blockages by protecting the home up to the top of casting of the nearest upstream manhole with a Spears or pre-approved backwater valve, which allows use of plumbing fixtures above that elevation in the remainder of the home. Only homes deemed eligible by the City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage qualify for this program. Under this program an eligible home with an interior perimeter foundation drain connection to the lateral is also eligible, at the owner's option, for the installation of a sump pump that will redirect the foundation drainage away from the sanitary lateral to the sump pump and then discharge that drainage away from the house. This contract is estimated to last 3 years.

The Department of Public Utilities advertised for competitive bids (RFQ018044) for the subject project on the City's Vendor Services website and in the City Bulletin in accordance with the relevant provisions of Chapter 329 of City Code, relating to competitive sealed bids. The Department of Public Utilities, Division of Sewerage and Drainage intends to award multiple contracts to the lowest, responsive and best bidders, in the best interest of the City. The contracts will run concurrently and the Department of Public Utilities, Division of Sewerage and Drainage may utilize any contract at the discretion of the City of Columbus. The City of Columbus shall not be precluded from contracting for the same or similar work from other contractors, whether during the term of any contract awarded hereunder or otherwise.

The Department of Public Utilities received two (2) bids on March 31, 2021 and the Division of Sewerage and Drainage is recommending awards to the lowest, responsible and best bidders as follows:

<u>Name</u>	<u>C.C. No.</u>	<u>Exp. Date</u>	<u>Vendor#</u>	<u>City/State</u>	<u>Status</u>
TFH-EB, Inc. dba The Waterworks	31-1162504	4/07/23	004777	Columbus, Ohio	MAJ
J & D Home Improvement Inc. dba The Basement Doctor	31-1225499	11/25/21	028672	Reynoldsburg, Ohio	MAJ

Each vendor will be awarded all Items. Total Estimated Annual Expenditure for the combined contracts: \$1,900,000.00, Division of Sewerage and Drainage.

The term of these contracts shall be for a period of one year from the date of execution by the City of Columbus, with yearly renewal options for an additional two years (for a maximum contract length of three years), on a year by year basis, based on funding availability, mutual agreement between the City and each vendor, approval by ordinance of Columbus City Council, and appropriation and certification of funds by the City Auditor. These contracts shall not automatically renew.

The maximum obligation of the City, for parts and service described in this agreement is limited to \$1,900,000.00. This total amount includes 10% for Contingency work for each contract respectively. If unforeseen issues or difficulties are encountered that would require additional funding, a modification would be required.

This legislation authorizes the City Auditor to transfer appropriation within the Sewer Operating Sanitary Fund to allow

for the reallocation of funds budgeted for the Project Dry Basement Backwater Valve Installation Reimbursement Program to this contract to provide additional funding needed for the City to contract for the needed services. The home owner's response to the Reimbursement Program has been less than anticipated therefore requiring the need for the transfer of funds to allow the City to contract directly for the needed repairs.

SUPPLIERS: TFH-EB, Inc. dba The Waterworks (31-1162504), Expires April 7, 2023, Vendor #004777.
TFH-EB II, dba The Waterworks does not hold MBE/FBE status.

J&D Home Improvement Inc. dba The Basement Doctor (31-1225499), Expires November 25, 2021, Vendor #028672.
J&D Home Improvement Inc. dba The Basement Doctor does not hold MBE/FBE status.

These companies are 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: \$1,900,000.00 is needed for this project. There is sufficient budget authority available in the 2021 Sewer Operating Sanitary Fund Budget to fund the transfer of appropriation which totals \$135,000.00. This ordinance includes a transfer of \$135,000.00 from Object Class 03-Services to Object Class 02-Material and Supplies.

\$618,499.41 was spent in 2020

\$133,599.29 was spent in 2019

EMERGENCY DESIGNATION: This ordinance is being submitted as an emergency because, without emergency action, no less than thirty-seven days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

To authorize the City Auditor to transfer \$135,000.00 in appropriation authority between Object Classes within the Sewer Operating Sanitary Fund; to authorize the Director of Public Utilities to enter into two (2) contracts with TFH-EB, Inc., dba The Waterworks, and J&D Home Improvement Inc., dba The Basement Doctor, for the Project Dry Basement: Backwater Valve Installation and Sump Pump program for the Division of Sewerage and Drainage, to authorize the expenditure of \$1,900,000.00 from the Sewer Operating Sanitary Fund, and to declare an emergency. (\$1,900,000.00)

WHEREAS, the Division of Sewerage and Drainage advertised and solicited formal bids (RFQ018044) on March 31, 2021 in accordance with the relevant provisions of Chapter 329 of City Code relating to competitive sealed bids, and

WHEREAS, the Department of Public Utilities, Division of Sewerage and Drainage wishes to enter into two (2) contracts with TFH-EB, Inc., dba The Waterworks, and J&D Home Improvement Inc., dba The Basement Doctor, for the purpose of providing for the Project Dry Basement: Backwater Valve Installation and Sump Pump program for the Division of Sewerage and Drainage, and

WHEREAS, this project is designed to prevent sewer backups in single and two-family homes in Columbus due to surcharging in city sewers from heavy rain or sewer blockages by protecting the home up to the top of casting of the nearest upstream manhole with a Spears or pre-approved backwater valve, which allows use of plumbing fixtures above that elevation in the remainder of the home. Only homes deemed eligible by the City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage qualify for this program, and

WHEREAS, the term of these contracts shall be for a period of one year from the date of execution by the City of Columbus, with yearly renewal options for an additional two years (for a maximum contract length of three years), on a

year by year basis, based on funding availability, mutual agreement between the City and each vendor, approval by ordinance of Columbus City Council, and appropriation and certification of funds by the City Auditor. If unforeseen issues or difficulties are encountered that would require additional funding, a modification would be required and is subject to and conditioned upon the approval of City Council, and appropriation and certification of funds by the City Auditor. These contracts shall not automatically renew, and

WHEREAS, the City may, at any time during the performance of the services under these Agreements propose a modification of the contracts by a properly authorized written instrument. With the approval of City Council and execution of such modification(s) by each party hereto, it shall be fully incorporated into the appropriate Contract and shall govern all subsequent performance under the Contract, and

WHEREAS, the expenditure of \$1,900,000.00, or so much thereof, is needed for Project Dry Basement: Backwater Valve Installation and/or Sump Pump program; and

WHEREAS, the Division of Sewerage and Drainage has a need to transfer \$135,000.00 in appropriation authority between Object Classes within the 2021 Sewer Operating Sanitary Fund's budget to allow for the Project Dry Basement: Backwater Valve Installation and Sump Pump program in the amount of \$1,900,000.00 to proceed. Appropriation authority for the transfer has been identified and is available in Object Class 03 (Services); and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is immediately necessary to authorize the transfer and expenditure within the Sewer Operating Sanitary Fund in order to comply with program requirements; and to authorize the Director of Public Utilities to enter into contracts with TFH-EB, Inc., dba The Waterworks, and J&D Home Improvement Inc., dba The Basement Doctor, for the Project Dry Basement: Backwater Valve Installation and Sump Pump program for the Division of Sewerage and Drainage, all for the preservation of the public health, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Auditor be and is hereby authorized to transfer existing available appropriations of \$135,000.00 from Object Class 03 Services to Object Class 02 Materials and Supplies in Fund 6100 Sewer Operating Sanitary Fund.

SECTION 2. That the Director of Public Utilities be and is hereby authorized to enter into contract with TFH-EB, Inc., dba The Waterworks, and J&D Home Improvement Inc., dba The Basement Doctor, for the Project Dry Basement: Backwater Valve Installation and Sump Pump program in accordance with the terms and conditions as shown in the agreement on file.

SECTION 3. That said firms shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

SECTION 4. That the expenditure of \$1,900,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6100 Sewer System Operating Fund, in object class 02-Material and Supplies in the amount of \$735,000.00, and in object class 03-Service in the amount of \$1,165,000.00, per the accounting codes in the attachment to this ordinance.

SECTION 5. 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 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 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 (10) days after passage if the Mayor neither approves nor vetoes the same.