



## Legislation Text

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**File #:** 1394-2022, **Version:** 1

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**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to modify the vendor name on, and renew an existing professional engineering services agreement as the firm is now named Xylem Vue, Inc. as they have merged with the original firm, EmNet, LLC, for the Real Time Control Sewer System Optimization, Part 2 Project, CIP# 650009-100003.

This is a task order contract to provide maintenance, technical support, and upgrades for the City's Real Time Decision Support System. The City will request services as the needs arise. Several types of services are covered under the agreement such as system maintenance, providing new or added functions, updates to user manuals and operational plans, staff training, coordination with other projects, engineering studies, and Quality Control/Quality Assurance.

Community Planning Areas: 99 Citywide

**FUTURE RENEWALS:** This is the first renewal of a five-year planned contract, composed of the original contract and four annual renewals.

**1.1 Amount of additional funds to be expended: \$500,000.00**

General Engineering (original 2021)	\$500,000
Renewal 1 (this ordinance)	\$500,000
Renewal 2 (future 2023)	\$500,000
Renewal 3 (future 2024)	\$500,000
Renewal 4 (future 2025)	\$500,000
Total for all renewals	\$2,500,000

**1.2. Reason other procurement processes are not used:**

The current consultant has already provided both design phase and construction phase services for all the projects assigned to this contract. Bidding this work out to a new consultant would require duplication of some of the work already performed and would interrupt construction phase services for projects currently under construction.

**1.3. How cost of renewal was determined:**

The City identified the services that would be needed for the project over the renewal period. The consultant developed a proposal for the hours/resources necessary to complete the services. The proposal was reviewed by the City's project and subsequently revised by consultant based on City's comments.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:** The real time control program aims to provide treatment plant operators with a framework to help maximize treatment and storage, while reducing overflows within the sewer system. This is beneficial to the environment and could help reduce fees associated with CSOs.

**3. CONTRACT COMPLIANCE INFO:** The Contract Compliance Number for Xylem Vue, Inc. is 85-1368169 (expires 2/25/2023, MJ, DAX #034990).

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Xylem Vue, Inc.

**6. FISCAL IMPACT:** This ordinance is contingent upon the receipt of the 2022 bond sale proceeds authorized by Ord. 0057-2022.

To authorize the Director of Public Utilities to modify an existing agreement to reflect the new name and vendor information; to renew the same existing agreement with Xylem Vue, Inc. for professional engineering services for the Real Time Control Sewer System Optimization, Part 2 Project; and to authorize an expenditure of up to \$500,000.00 from the Sanitary General Obligation Bond Fund, contingent upon the 2022 bond sale deposit. (\$500,000.00)

**WHEREAS**, the original contract for this project was authorized by Ordinance 2731-2020; and

**WHEREAS**, this is the first renewal of the four renewals planned for this contract; and

**WHEREAS**, EmNet, LLC has changed its corporate name and Federal Tax ID number as a result of a merger to Xylem Vue, Inc.; and

**WHEREAS**, it is necessary to modify the existing contract to reflect the new vendor name; and

**WHEREAS**, this expenditure is contingent upon the receipt of the 2022 bond sale deposit; and

**WHEREAS**, it is necessary to authorize an expenditure of up to \$500,000.00 from the Sanitary General Obligation Bond Fund 6109 for the Division of Sewerage & Drainage; and

**WHEREAS**, it has become necessary in the usual daily operation of the Division of Sewerage & Drainage, to authorize the Director of Public Utilities to modify and renew the professional engineering services agreement with Xylem Vue, Inc. for the Real Time Control Sewer System Optimization, Part 2 for the 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 is hereby authorized to modify the existing agreement to reflect the new vendor name and Federal Tax ID number and to renew an existing professional engineering services agreement for the Real Time Control Sewer System Optimization, Part 2 with Xylem Vue, Inc.(FID# 85-1368169), (formerly EmNet, LLC), 1 International Drive Rye Brooke, NY 10573; for an expenditure up to \$500,000.00; in accordance with the terms and conditions of the agreement on file in the Office of the Division of Sewerage & Drainage.

**SECTION 2.** That expenditure of up to \$500,000.00 from the Sanitary General Obligation Bond Fund 6109 is authorized per the accounting codes attached to this ordinance.

**SECTION 3.** 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 4.** That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

**SECTION 5.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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