

RESOLUTION 033-20

Authorizing the Executive Director to modify the contract with Paul Werth Associates, Inc. for communication support services and expend an additional sixty-two thousand five hundred dollars (\$62,500.00), for a total amount not to exceed two hundred twelve thousand five hundred dollars (\$212,500.00).

In April 2019, SWACO solicited proposals for communication support services to be provided at a competitive hourly rate. After evaluating the four (4) proposals received and ranking each firm, Columbus-based and female owned Paul Werth Associates, Inc. (“Werth”), was deemed the most qualified to perform these services.

Over the past year, Werth has assisted SWACO in producing newsletters, communications, regular op-eds, and educational newspaper columns; identifying opportunities for news releases and story pitches; creating social media and web videos; and monitoring and compiling media coverage and other metrics.

The existing contract with Werth expired on July 1, 2020, at which time SWACO planned to have a full-time communication administrator to assume many of these responsibilities. However, the occurrence of COVID-19 has delayed SWACO’s plans to hire additional staff yet communicating and engaging with our stakeholders in new and different ways has become increasingly more important through these virtual environments.

As such, SWACO Staff recommends the Board authorize the Executive Director to modify the contract with Paul Werth Associates, Inc. for communication support services and expend an additional sixty-two thousand five hundred dollars (\$62,500.00), for a total amount not to exceed two hundred twelve thousand five hundred dollars (\$212,500.00).

Requested by: *Hanna Greer-Brown, Communications Manager*

BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

1. The Executive Director is authorized to modify the contract with Paul Werth Associates, Inc. for communication support services and expend an additional sixty-two thousand five hundred dollars (\$62,500.00), for a total amount not to exceed two hundred twelve thousand five hundred dollars (\$212,500.00).
2. This resolution shall be in full force and effect from and immediately upon its adoption.

Date Approved: August 11, 2020

Tracie
Davies

Digitally signed by Tracie
Davies
Date: 2020.08.28
07:14:57 -04'00'

Tracie Davies
Madam Chair, Board of Trustees

Vote:

For: 7 Against: 0 Abs: 0

Danielle Kuskowski

Danielle Kuskowski, Secretary

Rebecca Egelhoff

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Date: 2020.09.11 13:43:37 -04'00'

Approved as to Form:

Rebecca L. Egelhoff, Managing Counsel

Resolution Summary

Resolution 033-20: Authorizing the Executive Director to modify the contract with Paul Werth Associates, Inc. for communication support services and expend an additional sixty-two thousand five hundred dollars (\$62,500.00), for a total amount not to exceed two hundred twelve thousand five hundred dollars (\$212,500.00).

Requested by: Hanna Greer-Brown, Communication Manager

Summary

- This resolution is for the purchase of six (6) additional months of communication support services for approximately fifteen to twenty (15-20) hours of weekly support from Paul Werth Associates in order to deliver the same level of communication services to Franklin County stakeholders.
- Werth will assist in producing newsletters, communications, regular op-eds and educational newspaper columns; identifying opportunities for news releases and story pitches; creating social media and web videos; and monitoring and compiling media coverage and other metrics.

Purpose & Goals

- These additional communication support services will help SWACO achieve 2020 Work Plan Goals.
- The services are also important to helping SWACO and Franklin County reach short- and long-term diversion goals.

Process Used:

- Cooperative Purchasing Competitive Process Sole Source/Best Interest
- SWACO utilized a Request for Proposals (“RFP”) competitive process in April 2019 to choose the best and most qualified vendor for communication support services.
 - SWACO received four (4) proposals from Paul Werth, Fahlgren Mortine, Origo Branding and Razor Marketing.
 - After evaluation, it was determined Paul Werth Associates was the best and most qualified to perform the services.

Fiscal Impact

Funding for this resolution is provided by:

- Operating Budget Capital Improvement Plant Capital Equipment Plan
 Capital Outlays Plan

Future Action Anticipated

- SWACO plans to reevaluate the situation in December 2020, at which time Staff will either move forward with the hiring of the communication administrator or issue an RFP for 2021 Communication Support Services.

RESOLUTION 034-20

Authorizing the Executive Director to modify the contract with Ohio Machinery, dba as Ohio Cat, for Certified Rebuild services and expend an additional seventy-six thousand seven hundred thirty-one dollars (\$76,731.00), for a total amount not to exceed one million one hundred forty-one thousand nine hundred thirty-one dollars (\$1,141,931.00).

SWACO owns and operates multiple Caterpillar units in daily operations at the Franklin County Sanitary Landfill and both the Morse Road Eco-Station and Jackson Pike Transfer Station facilities. Resolution 055-19, originally presented in December 2019, authorized the rebuild of two (2) units – a Certified Component Rebuild of Unit 230, a Caterpillar 966 Wheel Loader, and a complete Certified Rebuild of Unit 217, a Caterpillar 836H Compactor. Due to budget timelines, it was necessary to obtain budgetary quotes from Ohio Cat for both rebuilds in June 2019.

Ohio Cat conducted a complete disassembly and thorough inspection of both units. In July, Staff presented a resolution to approve additional funding for the hidden damages on Unit 230 while the final inspection of Unit 217 was pending. Unit 217 has now been completed for inspection, and the following equipment damages and excessive internal component wear were discovered by Ohio Cat: excessive wear to the front and rear differential internal gears and bearings beyond Caterpillar specifications for reuse, additional transmission and transfer gear components beyond Caterpillar specifications for reuse, repairs and reconditioning of the final drives and hub assemblies, additional parts required for the unit air conditioning and heater assemblies, and additional parts and labor to recondition the cab assembly of the compactor. The internal damages and additional parts required for the unit were not detectable at the time the estimate for repair was provided and were confirmed by Staff during a site visit. Additional funds are thus required to complete the rebuild and return the unit to service.

Staff therefore recommends the Board of Trustees authorize the Executive Director to modify the contract with Ohio Machinery, dba Ohio Cat, for Certified Rebuild services of Unit 217 and expend an amount not to exceed seventy-six thousand seven hundred thirty-one dollars (\$76,731.00), for a total amount not to exceed one million one hundred forty one thousand nine hundred thirty-one dollars (\$1,141,931.00).

Requested by: Bill Burns, Fleet and Facilities Manager

BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

1. The Executive Director is authorized to modify the contract with Ohio Machinery, dba Ohio Cat, for Certified Rebuild services and expend an amount not to exceed seventy-six thousand seven hundred thirty-one dollars (\$76,731.00), for a total amount not to exceed one million one hundred forty-one thousand nine hundred thirty-one dollars (\$1,141,931.00).
 2. This resolution shall be in full force and effect from and immediately upon its adoption.
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Date Approved: August 11, 2020

Vote:
For: 7 Against: 0 Abs: 0

Tracie
Davies Digitally signed by Tracie
Davies
Date: 2020.08.28
07:15:20 -04'00'

Tracie Davies
Madam Chair, Board of Trustees

Danielle Kuskowski

Danielle Kuskowski, Secretary

Rebecca Egelhoff Digitally signed by Rebecca
Egelhoff
Date: 2020.09.11 13:44:18 -04'00'

Rebecca L. Egelhoff, Managing Counsel

Approved as to Form:

Resolution Summary

Resolution 034-20: Authorizing the Executive Director to modify the contract with Ohio Machinery, dba as Ohio Cat, for Certified Rebuild services and expend an additional seventy-six thousand seven hundred thirty-one dollars (\$76,731.00), for a total amount not to exceed one million one hundred forty-one thousand nine hundred thirty-one dollars (\$1,141,931.00).

Requested by: Bill Burns, Fleet and Facilities Manager

Summary

- Hidden wear and tear to the unit was discovered after a complete disassembly and thorough inspection. The additional component repairs necessary for the rebuild were reported by Ohio Cat and confirmed by Staff during an onsite visit.
- Additional funding is therefore required to complete the rebuild and return the unit to service.
- This rebuild will extend the useful life of the equipment and is an industry best-practice.

Purpose & Goals

- The services to be provided contribute to the 2020 Organizational Priority to replace or rebuild major equipment in operation.
- This equipment is necessary to continue operations and support SWACO's commitment to the proper disposal of solid waste.

Process Used:

- Cooperative Purchasing Competitive Process Sole Source/Best Interest
- Ohio Machinery, dba Ohio Cat, is the original equipment manufacturer dealer for Caterpillar equipment and is the only vendor authorized to perform the Certified Rebuild on the equipment.
 - As provided in Resolution 055-19, after conducting reasonable investigation, it was determined that only one (1) vendor was capable of supplying the required parts, services, and materials and the procurement requirements of the Amended Procurement Policy were waived pursuant to Section 9.1.a.

Fiscal Impact

Funding for this resolution is provided by:

- Operating Budget Capital Improvement Plan Capital Equipment Plan
 Capital Outlays Plan

Future Action Anticipated

- None at this time.



RESOLUTION 035-20



Authorizing the Executive Director to modify the contract with Squire Patton Boggs (US) LLP to expend an additional one hundred twenty-five thousand dollars (\$125,000.00) for a total contract amount not to exceed two hundred thousand dollars (\$200,000.00).

Squire Patton Boggs (US) LLP (“Squire”) is a local law firm that was retained by SWACO in 2017 to provide legal services to SWACO with respect to contract interpretation and legal strategy relating to the issues involving one of its vendors, Kurtz Brothers Central Ohio, LLC. After an extensive mediation process, in the spring of 2019 Kurtz initiated litigation against SWACO in the matter titled *Kurtz Bros. Central Ohio, LLC v. Solid Waste Authority of Central Ohio*, Case No. 19-CV-003964 in the Franklin County Court of Common Pleas (“Pending Litigation”). The current contract for legal services in 2020 was for an amount not to exceed Seventy-Five Thousand Dollars (\$75,000.00). However, additional funds are necessary to complete the discovery phase and continue with the Pending Litigation.

Staff therefore recommends the Board authorize the Executive Director to modify the contract with Squire to expend an additional amount not to exceed one hundred twenty-five thousand dollars (\$125,000.00), for a total amount not to exceed two hundred thousand dollars (\$200,000.00)

Requested by: Rebecca L. Egelhoff, Managing Counsel

BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

1. The Executive Director is authorized to modify the contract with Squire Patton Boggs (US) LLP to expend an amount not to exceed One Hundred Twenty-Five Thousand Dollars (\$125,000.00) for a total contract amount not to exceed Two Hundred Thousand Dollars (\$200,000.00).
2. This resolution shall be in full force and effect from and immediately upon its adoption.

Date Approved: August 11, 2020

Tracie
Davies

Digitally signed by Tracie
Davies
Date: 2020.08.28
07:15:42 -04'00'

Tracie Davies
Madam Chair, Board of Trustees

Vote:

For: 7 Against: 0 Abs: 0

Danielle Kuskowski

Danielle Kuskowski, Secretary

Rebecca Egelhoff

Digitally signed by Rebecca Egelhoff
Date: 2020.09.11 13:44:59 -04'00'

Approved as to Form:

Rebecca L. Egelhoff, Managing Counsel

Resolution Summary

Resolution 035-20: Authorizing the Executive Director to modify the contract with Squire Patton Boggs (US) LLP to expend an additional One Hundred Twenty-Five Thousand Dollars (\$125,000.00) for a total contract amount not to exceed Two Hundred Thousand Dollars (\$200,000.00).

Requested by: Rebecca L. Egelhoff, Managing Counsel

Summary

- Staff is proposing to modify the existing contract with Squire Patton Boggs (US) LLP (“Squire”) to add additional funds in the amount of One Hundred Twenty-Five Thousand Dollars (\$125,000.00) for a total amount not to exceed Two Hundred Thousand Dollars (\$200,000.00).

Purpose & Goals

- This resolution does not directly impact SWACO’s Carbon Reduction Goals.

Process Used (check one): N/A

Cooperative Purchasing Competitive Process Sole Source/Best Interest

- This contract for legal services is exempt from the competitive bidding requirements in SWACO’s Amended Procurement Policy.

Fiscal Impact

Funding for this resolution is provided by (check one):

Operating Budget Capital Improvement Plant Capital Equipment Plan
 Capital Outlays Plan

Future Action Anticipated

- Additional funds could be needed for legal representation in the Pending Litigation.

RESOLUTION 036-20



Authorizing the Executive Director to enter into an above-ground sublease with The Shelly Company for approximately ±9.2Ac of Parcel Id. 570-181425.

On March 31, 1993, SWACO and the City of Columbus entered into several agreements transferring operational control and leasing the City's Solid Waste Reduction Facility and Satellite Transfer Stations to the Authority (collectively the "Lease and Transfer Agreements"), which eventually became the Jackson Pike Transfer Station, Morse Road Transfer Station and Georgeville Road Transfer Station. The Jackson Pike Transfer Station is located on a portion of Parcel Id. 570-181425, which consists of ±52 acres ("Subject Property") that SWACO has leased from the City until 2054 pursuant to the Lease and Transfer Agreements.

In December of 2019, SWACO released a 4.687 acre portion of the Subject Property back to the City of Columbus, which the City eventually sold to The Shelly Company ("Shelly") for underground mining operations. As such, Shelly has requested to sublease from SWACO approximately ±9.2 acres of the Subject Property which abuts the property recently purchased by Shelly for them to store equipment, materials and similar items above-ground.

Staff therefore recommends the Board authorize the Executive Director to enter into a sublease with Shelly for approximately ±9.2 acres located on Parcel Id. 570-181425.

Requested by: Rebecca L. Egelhoff, Managing Counsel

BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

1. The Executive Director is authorized to enter into an above-ground sublease with The Shelly Company for approximately ±9.2Ac located on Parcel Id. 570-181425.
2. This resolution shall be in full force and effect from and immediately upon its adoption.

Date Approved: August 11, 2020

Vote:
For: 7 Against: 0 Abs: 0

Tracie
Davies

Digitally signed by Tracie
Davies
Date: 2020.08.28
07:16:17 -04'00'

Tracie Davies
Madam Chair, Board of Trustees

Danielle Kuskowski

Danielle Kuskowski, Secretary

Rebecca Egelhoff

Digitally signed by Rebecca
Egelhoff
Date: 2020.09.11 13:45:37 -04'00'

Rebecca L. Egelhoff, Managing Counsel

Approved as to Form:

Resolution Summary

Resolution 036-20: Authorizing the Executive Director to enter into an above-ground sublease with The Shelly Company for approximately ±9.2Ac of Parcel Id. 570-181425.

Requested by: Rebecca L. Egelhoff, Managing Counsel

Summary

- SWACO currently leases the Subject Property from the City of Columbus until 2054.
- SWACO does not currently have a need to use ±9.2 acres of the Subject Property in its day-to-day operations.

Purpose & Goals

- This sublease would serve SWACO's guiding principal of collaborating with our public and private partners.
- This resolution does not directly impact SWACO's Carbon Reduction Goals.

Process Used (check one): N/A

State Bid Competitive Process Sole Source

- This was not a competitive process.

Fiscal Impact

Funding for this resolution is provided by (check one): N/A

Operating Budget Capital Improvement Plan Capital Equipment Plan
 Capital Outlays Plan

Future Action Anticipated

None anticipated at this time.