

BILL NO. S-12-06-12

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving PURCHASE OF TWO (2) POWER TRANSFORMERS RATED AT 10/12.5/14 MVA, 34.5 kV x 69 kV 4160/2400 VOLT FOR STORMWATER SUBSTATION RESOLUTION 2283-2010-PO, W.O. #75449 between VIRGINIA TRANSFORMER CORP and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the PURCHASE OF TWO (2) POWER TRANSFORMERS RATED AT 10/12.5/14 MVA, 34.5 kV x 69 kV 4160/2400 VOLT FOR STORMWATER SUBSTATION RESOLUTION 2283-2010-PO, W.O. #75449 by and between VIRGINIA TRANSFORMER CORP and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects, respectfully for:

All labor, insurance, material, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary for design, manufacturer, deliver, install assemble and perform commission testing of two (2) 10/12.5/14 MVA, 34.5 x 69 kV-4160/2400 volt Power Transformers for the Stormwater Substation:

involving a total cost of EIGHT HUNDRED NINETY-FOUR THOUSAND, ONE HUNDRED TWENTY-TWO AND 00/100 DOLLARS - (\$894,122.00). A copy of said Contract is on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect
from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney

CITY OF FORT WAYNE, INDIANA

VENDOR DISCLOSURE STATEMENT RELATING TO:

1. FINANCIAL INTERESTS;
2. POTENTIAL CONFLICTS OF INTERESTS;
3. CURRENT AND PENDING CONTRACTS OR PROCUREMENTS

Vendors desiring to enter into certain contracts with the City of Fort Wayne, Indiana (the "City") shall disclose their financial interests, potential conflicts of interest and current and pending contract or procurement information as set forth below.

The following disclosures by Vendors are required for all contracts with annual payments by the City in the amount of \$25,000 or more. Vendors shall disclose the financial interests, potential conflicts of interest and other contract and procurement information identified in Sections 1, 2 and 3 below as a prerequisite for consideration of an award of contract by the City. This Disclosure Statement must be completed and submitted together with Vendor's contract, bid, proposal, or offer.

A publicly traded entity may submit its current 10K disclosure filing in satisfaction of the disclosure requirements set forth in Section 1 below.

Section 1. Disclosure of Financial Interest in Vendor

- a. If any individuals have either of the following financial interests in Vendor (or its parent), please check all that apply and provide their names and addresses (attach additional pages as necessary):

(I) Equity ownership exceeding 5% ☐

(II) Distributable Income share exceeding 5% ☐

(III) Not Applicable (If N/A, go to Section 3) ☒

Name: _____ Name: _____

Address: _____ Address: _____

- b. For each individual listed in Section 1a., show his/her type of equity ownership: sole proprietorship ☐ stock ☐ partnership interest ☐ units (LLC) ☐ other (explain) _____

- c. For each individual listed in Section 1a., show the dollar value and percentage of ownership interest in Vendor (or its parent): dollar value: \$ _____ ownership interest: _____ %

Section 2. Disclosure of Potential Conflicts of Interest

For each individual listed in Section 1a., check "Yes" or "No" to indicate which, if any, of the following potential conflict of interest relationships apply. If "Yes", please describe using space under applicable subsection (attach additional pages as necessary):

- a. City employment, currently or in the previous 3 years, including contractual employment for services. Yes ☐ No. ☒

- b. City employment of "Member of Immediate Family" (defined herein as: spouse, parent, child or sibling) including contractual employment for services in the previous 3 years. Yes ☐ No. ☐

- c. Relationship to Member of Immediate Family holding elective
City office currently or in the previous 3 years. Yes ☐ No. ☐
- d. Relationship to Member of Immediate Family holding appointive
City office currently or in the previous 3 years Yes ☐ No ☐

Section 3. DISCLOSURE OF OTHER CONTRACT AND PROCUREMENT RELATED INFORMATION

- a. Does Vendor have current contracts (including leases) with the City? Yes ☐ No ☒
- b. If "Yes", identify each current contract with descriptive information including purchase order or contract reference number, contract date and City contact using space below (attach additional pages as necessary).

- c. Does Vendor have pending contracts (including leases), bids, proposals, or other pending procurement relationship with the City? Yes ☐ No. ☒

If "Yes", identify each pending matter with descriptive information including bid or project number, contract date and City contact using space below (attach additional pages as necessary).

Section 4. CERTIFICATION OF DISCLOSURES

In connection with the disclosures contained in Sections 1, 2 and 3 Vendor hereby certifies that, except as described in attached Schedule A:

- a. Vendor (or its parent) has not, within the five (5) year period preceding the date of this Disclosure Statement, been debarred, suspended, proposed for debarment declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. No officer or director of Vendor (or its parent) or individual listed in Section 1a. is presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any offense;
- c. Vendor (or its parent) has not, within the five (5) year period preceding the date of this Disclosure Statement, had one or more public transactions (federal, state or local) terminated for cause or default;
- d. No officer or director of Vendor (or its parent) or individual listed in Section 1a. has, within the five (5) year period preceding the date of this Disclosure Statement, been convicted, adjudged guilty, or found liable in any criminal or civil action instituted by the City, the federal or state government or any other unit of local government;
- e. Vendor has read, understands and shall comply with the applicable requirements of the City of Fort Wayne, Indiana Ethics Ordinance; and
- f. Neither Vendor, nor its parent, nor any affiliated entity of Vendor, or any of their respective officers, directors, or individuals listed in Section 1a. is barred from contracting with any unit of any federal, state or local government as a result of engaging in or being convicted of: (i) bid-

rigging; (ii) bid-rigging; or (iii) any similar federal or state offense that contains the same elements as the offense of bid-rigging or bid-rigging.

The disclosures contained Sections 1, 2 and 3 and the foregoing Certifications are submitted by

Virginia TransPacker Corp.
(Name of Vendor)

220 Glade View Dr., Roanoke, Va 24012
Address

(540) 345-9892
Telephone

E-Mail Address

The individual authorized to sign on behalf of Vendor represents that he/she: (a) is fully informed regarding the matters pertaining to Vendor and its business; (b) has adequate knowledge to make the above representations and disclosures concerning Vendor; and (c) certifies that the foregoing representations and disclosures are true and accurate to the best of his/her knowledge and belief.

Name (Printed) Steven S. Nelson Title CFO

Signature [Signature] Date 4/30/2012

NOTE: FAILURE TO COMPLETE AND RETURN THIS FORM WITH YOUR DOCUMENTATION WILL RESULT IN YOUR CONTRACT, OFFER, BID OR PROPOSAL BEING DISQUALIFIED FROM CONSIDERATION.

Interoffice Memo

Date: June 7, 2012
To: Common Council Members
From: Doug Fasick, Sr. Program Manager – City Utilities Engineering
cc:
Re: **Purchase of Two (2) Power Transformers rated at 10/12.5/14 MVA, 34.5 kV x 69 kV
4160/2400 Volt for Stormwater Substation
Resolution 2283-2010-P9, W.O. #75449**

The seller will design, manufacture, deliver, install assemble and perform commission testing of two (2) 10/12.5/14 MVA, 34.5 x 69 kV – 4160/2400 volt Power Transformers for the Stormwater Substation. These power transformers will serve the existing, additional and future electric loads at the Combined Sewer Pump Station, including the Effluent Pump Station and Northern Area Relief Pump Station (NARPS) as well as meet Indiana Michigan Power's future 69 kV transmission upgrades. This project is in support of our 2013 Consent Decree requirements and meeting our milestones.

Implications of not being approved: The existing substation power transformers do not have enough capacity to meet the additional electric equipment being installed as a part of this improvement to the Combined Sewer Pump Station (CSPS). Therefore, CSPS can't meet 2013 Consent Decree milestones.

If Prior Approval is being Requested, Justified: N/A

This project was advertised to manufacturing vendors on April 13, 2012 and April 20, 2012 in the Journal Gazette and the News Sentinel.

The contract for Resolution 2283-2010-P9, awarded to Virginia Transformer Corp. for \$894,122.00 was the lowest most responsive bidder of the 2 bidders and 5.15% below the Engineer's estimate of \$942,642.00. The second lowest bidder was \$205,878.00 above Virginia Transformer Corp.'s bid.

The cost of said project is funded by: 2010 Sewer Revenue Bond

Council Introduction Date: June 12, 2012

CC: BOW
Matthew Wirtz
Diane Brown
Chrono