



**SPECIAL MEETING OF THE CITY COUNCIL
CITY OF JACKSON, MISSISSIPPI**

March 21, 2019

AGENDA

10:00 AM

CALL TO ORDER BY THE PRESIDENT

- 1 ORDER REVISING THE FISCAL YEAR 2018-2019 BUDGET OF THE DEPARTMENT OF PUBLIC WORKS WATER/SEWER UTILITIES DIVISION. (MILLER, LUMUMBA)
- 2 ORDER AUTHORIZING PAYMENT OF THE SUM OF \$389,986.06 TO ORIGIN CONSULTING FOR SERVICES PROVIDED UNDER EXIGENT CIRCUMSTANCES AT THE REQUEST OF THE PUBLIC WORKS DIRECTOR. (MILLER, LUMUMBA)
- 3 CLAIMS (HORTON, LUMUMBA)

REPORTS FROM MEMBERS OR DEPARTMENT DIRECTORS

ANNOUNCEMENTS

ADJOURNMENT

ORDER REVISING THE FISCAL YEAR 2018-2019 BUDGET OF THE DEPARTMENT OF PUBLIC WORKS WATER/SEWER UTILITIES DIVISION

WHEREAS, it appearing that due to emergent and exigent circumstances regarding the City of Jackson’s Utility Billing System, additional funds are need to pay for professional services to meet these circumstances; and

WHEREAS, the Fiscal Year 2018–2019 budget needs to be revised to provide funding for these emergent and exigent circumstances; and

WHEREAS, there are funds available in the Water/Sewer that may be used to provide these professional services relating to the utility billing software.

IT IS, THEREFORE, ORDERED that the Fiscal Year 2018–2019 budgets of the Department of Public Works and Department of Finance and Administration be revised in the amount of \$389, 987 as follows:

| <u>From/To</u> | <u>Fund/Account Number</u> | <u>Amount</u> |
|----------------|----------------------------|---------------|
| To | 31-520.10-6419 | \$389, 987 |
| From | 31-522.80-6741 | (\$137,488) |
| From | 31-520.10-6111 | (\$228,072) |
| From | 174-944.00-6491 | (\$ 24,427) |

Item #1
Date 3-21-19
By Miller, Lumumba



**City of Jackson
Department of Public Works**

To: Mayor Chokwe A. Lumumba

From: Robert K. Miller, Director of Public Works

Council Agenda Item Briefing Memo

**Agenda Item: ORDER AUTHORIZING PAYMENT OF THE SUM OF \$389,986.06
TO ORIGIN CONSULTING FOR SERVICES PROVIDED UNDER
EXIGENT CIRCUMSTANCES AT THE REQUEST OF THE
PUBLIC WORKS DIRECTOR**

Item #:

Council Meeting: Special Council Meeting, March 21, 2019

Purpose: To provide removal, disposal, or recycling of waste tires from the
City of Jackson Rubbish Facility in Byram, MS.

Cost: \$389,987.00

Project/Contract Type: N/A

Funding Source:

Background:

Origin Consulting, LLC has provided professional services to the City of Jackson under exigent circumstances to address the recovery of stranded bills and the collection of associated payments, which directly affected the City's ability to service debt concerning the water and sewer systems.



CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

March 20, 2019
DATE

(as revised 3/6/01)

| P O I N T S | | C O M M E N T S | | | | | | | |
|--------------------|--|---|-----------------|--------|-------------|--------|-----|------------|--|
| 1. | Brief Description | ORDER REVISING THE FISCAL YEAR 2018-2019 BUDGET OF THE DEPARTMENT OF PUBLIC WORKS WATER/SEWER UTILITIES DIVISION | | | | | | | |
| 2. | Purpose | Revise budget to provide funding for emergent and exigent circumstances | | | | | | | |
| 3. | Who will be affected | Water-sewer customers | | | | | | | |
| 4. | Benefits | The professional services have allowed the City to address stranded bills and the collection of associated payments. | | | | | | | |
| 5. | Schedule (beginning date) | Upon council approval | | | | | | | |
| 6. | Location: ▪ WARD ▪ CITYWIDE (yes or no) (area) ▪ Project limits if applicable | System wide | | | | | | | |
| 7. | Action implemented by: ▪ City Department <input type="checkbox"/> ▪ Consultant <input type="checkbox"/> | Department of Public Works | | | | | | | |
| 8. | COST | | | | | | | | |
| 9. | Source of Funding ▪ General Fund <input type="checkbox"/> ▪ Grant <input type="checkbox"/> ▪ Bond <input type="checkbox"/> ▪ Other <input type="checkbox"/> | To | 31-520.10-6419 | | \$389,987 | | | | |
| | | From | 31-522.80-6741 | | (\$137,488) | | | | |
| | | From | 31-520.10-6111 | | (\$228,072) | | | | |
| | | From | 174-944.00-6491 | | (\$ 24,427) | | | | |
| 10. | EBO participation | ABE | _____ % | WAIVER | yes ___ | no ___ | N/A | <u> X </u> | |
| | | AABE | _____ % | WAIVER | yes ___ | no ___ | N/A | <u> X </u> | |
| | | WBE | _____ % | WAIVER | yes ___ | no ___ | N/A | <u> X </u> | |
| | | HBE | _____ % | WAIVER | yes ___ | no ___ | N/A | <u> X </u> | |
| | | NABE | _____ % | WAIVER | yes ___ | no ___ | N/A | <u> X </u> | |



Office of the City Attorney

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OFFICE OF THE CITY ATTORNEY

This **ORDER REVISING THE FISCAL YEAR 2018-2019 BUDGET OF THE DEPARTMENT OF PUBLIC WORKS WATER/SEWER UTILITIES DIVISION** is legally sufficient for placement in NOVUS Agenda.



Timothy Howard, *City Attorney*

3/20/19

DATE



ORDER AUTHORIZING PAYMENT OF THE SUM OF \$389,986.06 TO ORIGIN CONSULTING FOR SERVICES PROVIDED UNDER EXIGENT CIRCUMSTANCES AT THE REQUEST OF THE PUBLIC WORKS DIRECTOR

WHEREAS, on November 5, 2018, the Public Works Director forwarded a letter to Origin Consulting Services advising of the *intent* of the City of Jackson to enter into a Statement of Work for services related to business operations and delivery support concerning the City's water billing and collections systems; and

WHEREAS, the Public Works Director's letter indicated that prior to executing the Statement of Work, exigent circumstances existed and necessitated that services commence immediately; and

WHEREAS, the exigent circumstances present concerned the recovery of stranded bills and the collection of associated payments, which directly affected the City's ability to service debt concerning the water and sewer systems; and

WHEREAS, avoiding defaults, bankruptcy, and or receivership concerning the water-sewer system are exigent circumstances; and

WHEREAS, the services provided by Origin Consulting are professional services, which have no specific statutory methods for procurement other than requiring special authorization from municipal authorities; and

WHEREAS, the Mississippi Attorney General opined in an opinion to *Bracey* dated *August 24, 2018* that a competitive process should be utilized even though purchasing laws are not applicable to the professional services to insure that best value is received; and

WHEREAS, Section 31-7-13(k) of the Mississippi Code contains a procedure for the procurement of purchases and repair contracts when exigent circumstances exist; and

WHEREAS, a municipality is not prohibited by law from utilizing the procedure set forth in Section 31-7-13(k) to procure professional services when *exigent* circumstances are present; and

WHEREAS, Origin has invoiced the City of Jackson the sum of \$389,986.06 for services provided at the request of the Public Works Director; and

WHEREAS, the Director of Public Works has provided written documentation concerning the services procured and the price of the services; and

WHEREAS, the Director of Public Works recommends that the invoices of Origin totally \$389,986.06 be paid;

IT IS THEREFORE ORDERED that upon verification and signing of the invoices by the Public Works Director, a sum not to exceed \$389,986.06 may be paid to Origin for services provided under exigent circumstances associated with the recovery and collection of stranded bills,

Item #2
Date 3-21-19
By Miller, Lumumba

which permitted the City of Jackson to service debt upon the water and sewer system and avoid default.

IT IS FURTHER ORDERED that copies of the invoices executed by the Public Works Director shall be included with the minutes in addition to this Order.





**City of Jackson
Department of Public Works**

To: Mayor Chokwe A. Lumumba

From: Robert K. Miller, Director of Public Works

Council Agenda Item Briefing Memo

**Agenda Item: ORDER AUTHORIZING PAYMENT OF THE SUM OF \$389,986.06
TO ORIGIN CONSULTING FOR SERVICES PROVIDED UNDER
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Item #:

Council Meeting: Special Council Meeting, March 21, 2019

Purpose: To provide removal, disposal, or recycling of waste tires from the
City of Jackson Rubbish Facility in Byram, MS.

Cost: \$389,986.06

Project/Contract Type: N/A

Funding Source:

Background:

Origin Consulting, LLC has provided professional services to the City of Jackson under exigent circumstances to address the recovery of stranded bills and the collection of associated payments, which directly affected the City's ability to service debt concerning the water and sewer systems.



CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

March 20, 2019
DATE

(as revised 3/6/01)

| P O I N T S | | C O M M E N T S | | | | | | |
|--------------------|---|---|---------|--------|---------|--------|-----|----------|
| 1. | Brief Description | ORDER AUTHORIZING PAYMENT OF THE SUM OF \$389,986.06 TO ORIGIN CONSULTING FOR SERVICES PROVIDED UNDER EXIGENT CIRCUMSTANCES AT THE REQUEST OF THE PUBLIC WORKS DIRECTOR | | | | | | |
| 2. | Purpose | To provide payment for professional services rendered under exigent circumstances | | | | | | |
| 3. | Who will be affected | Water-sewer customers | | | | | | |
| 4. | Benefits | The professional services have allowed the City to address stranded bills and the collection of associated payments. | | | | | | |
| 5. | Schedule (beginning date) | Upon Council approval | | | | | | |
| 6. | Location: <ul style="list-style-type: none"> ▪ WARD ▪ CITYWIDE (yes or no) (area) ▪ Project limits if applicable | System wide | | | | | | |
| 7. | Action implemented by: <ul style="list-style-type: none"> ▪ City Department <input type="checkbox"/> ▪ Consultant <input type="checkbox"/> | Department of Public Works | | | | | | |
| 8. | COST | \$389,986.06 | | | | | | |
| 9. | Source of Funding <ul style="list-style-type: none"> ▪ General Fund <input type="checkbox"/> ▪ Grant <input type="checkbox"/> ▪ Bond <input type="checkbox"/> ▪ Other <input type="checkbox"/> | | | | | | | |
| 10. | EBO participation | ABE | _____ % | WAIVER | yes ___ | no ___ | N/A | <u>X</u> |
| | | AABE | _____ % | WAIVER | yes ___ | no ___ | N/A | <u>X</u> |
| | | WBE | _____ % | WAIVER | yes ___ | no ___ | N/A | <u>X</u> |
| | | HBE | _____ % | WAIVER | yes ___ | no ___ | N/A | <u>X</u> |
| | | NABE | _____ % | WAIVER | yes ___ | no ___ | N/A | <u>X</u> |



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Timothy Howard, City Attorney

3/20/19

DATE

OFFICE OF THE CITY ATTORNEY
3/20/19

