

February 13, 2014

To: Burlington Board of Finance
From: John Irving
Subject: McNeil Electrostatic Precipitator

In order to maintain particulate emissions in compliance with our state air quality permit, we have planned for and budgeted to rebuild the B-West mechanical field of the electrostatic precipitator at McNeil. We invited six bidders to bid, and received two qualified bids:

Precipitator Services Group	\$234,930
Whitehead Construction Inc.	\$374,192

We have worked with both of these contractors with favorable results for similar work in the past. Based on lowest evaluated cost and compliance with the bid documents, we recommend awarding the order to Precipitator Services Group. This work will be done in the annual outage which occurs from April 12-27, 2014. I have requested that this item be added to the agenda for the February 18th Board of Finance meeting. I will attend and would be glad to answer any questions you have at that time.

January 28, 2014

To: Barb Grimes
From: John Irving
Subject: McNeil Electrostatic Precipitator

In order to maintain particulate emissions in compliance with our state permit, we have planned for and budgeted to rebuild the B-West mechanical field of the electrostatic precipitator at McNeil. We invited six bidders to bid, and received two qualified bids:

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Regarding the ESP rebuild for B-West mechanical field occurring during our April 2014 outage, we went out to bid for this job and requested proposals from six entities. Of these six requests we received two proposals, one confirmed no-bid, and three entities did not respond.

Of the two proposals, Precipitator Services Group was the low bidder at a proposed cost of \$234,930. This price was significantly lower than the next bidder. This price does not include freight of the required rebuild materials/hardware and the estimated cost of freight is \$20,000 based on historical costs. Precipitator Services Group (PSG) has performed several ESP field rebuilds and they have also performed general maintenance activities for us with strong results.

The only other bidder was Whitehead Construction Inc. who has also performed quality work for us but their base price for this rebuild was \$374,192 and hence should not be considered for this rebuild work.

Based on the quality work that PSG has provided McNeil in the past and the fact that they are providing their services as the low bidder it is recommended that PSG receive the ESP B-West mechanical field rebuild.

REORGANIZATION OF THE GOVERNANCE OF THE CITY

In the year Two Thousand and One
Resolved by the City Council of the City of Burlington, as follows:

That, WHEREAS, the voters approved on November 7, 2000 amendments to the governance of the City as provided in the City Charter; and

WHEREAS, the General Assembly of the State of Vermont has passed Act #M-6, 2001

which consists of amendments to the City Charter relating to the manner in which the city is to

be governed; and

WHEREAS, such amendments to the City Charter provide for plenary policy making and

legislative authority being vested in the City Council, chief executive authority being vested in

the Mayor; the authority of the various city commissions becoming advisory in nature except to

the extent governmental authority is delegated by resolution of this Council; mayoral

appointment of department heads, and the re-designation of the clerk/treasurer as chief

administrative officer; and

WHEREAS, on June 26, 2001, this City Council passed a continuing resolution which

continued the present governmental structure until otherwise directed by this Council; and

WHEREAS, the Mayor, as the City's Chief Executive Officer, has consulted with

department heads and commissioners to take an inventory of the manner in which the

departments have governed their operations, including an examination of authority exercised by

department heads and by commissions, actions requiring the advance approval of the Board of

Finance and actions requiring advance approval of this City Council; and

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WHEREAS, the Mayor has made a recommendation to this Council as to how he

believes the governmental structure of the City should be re-organized, and such

recommendation has received the extensive consideration of the Charter Change Committee; and WHEREAS, the Charter Change Committee has held both deliberative sessions and

public hearings with respect to the Mayor's recommendations, and has reported its

recommendations to this Council;

NOW, THEREFORE, on the basis of the recommendations of the Mayor and the Charter

Change committee, IT IS HEREBY RESOLVED by this City Council as follows:

1. Each Commission shall annually approve and submit to the Mayor a budget

recommendation in a format directed by the Mayor. The Mayor, with the assistance of

the Board of Finance, shall prepare the budget and submit it to the City Council for its

consideration and adoption. Each Department Head and Commission shall be

responsible for monitoring expenditures made pursuant to an approved budget, and shall

make an official report to the Mayor and City Council every six months as to the results

of such monitoring, and shall also develop and annually revise for the Mayor's

consideration a five year capital budget plan. All fees and charges to be assessed by any

City department for any purpose shall be considered a part of the budget and processed in

accordance with the provisions of this paragraph. The budget may contain guidelines for

the amendment of fees and charges by a commission during the course of a fiscal year.

2. No contract of any kind or description shall be entered into by any city department except

in accordance with procurement and contracting regulations recommended by the Mayor

and approved by this Council. Notwithstanding the foregoing, the Board of Electric

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Commissioners shall have authority to either itself approve or to delegate to the General Manager the authority to approve short term contracts for the purchasing and selling of electric capacity and energy. In this context, short term shall be considered five years or less in duration. Further, the Board of Electric Commissioners shall also have the authority to either itself approve or to delegate to the General Manager the authority to enter into contracts involving an expenditure of not ^{more} less than \$100,000.00 or a duration of one year or less. Contracts in excess of one year in duration and more than \$100,000.00 in value shall also be authorized by the Board of Electric Commissioners, but shall be reported to the City Council in writing within five business days. Such authorization by the Commission shall be considered full authority to enter into the contract unless the Commission's action is vetoed by vote of a majority of the whole number of the City Council passed within thirty days of the Commission vote. The City Council may also affirmatively act to ratify and confirm the vote of the Commission prior to the passage of such thirty days.

3. All salaries and benefits for city employees shall require the advance approval of this City Council based upon the recommendation of the Mayor or by the Chief Administrative Officer on behalf of the Mayor.

4. The Mayor, through the Office of the Chief Administrative Officer, shall have the responsibility to specify accounting and other financial systems, and computer technology systems which all departments shall follow. This authority shall include the development and maintenance of City wide procurement and contracting policy guidelines. Provided, the Electric Department shall be authorized to continue to maintain

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its computer technology system and department.

5. The Mayor, or the Chief Administrative Officer on behalf of the Mayor, shall have the authority to apply for state, federal or private grants.

6. The Department of Human Resources shall have overall responsibility for personnel systems administration and for the development and monitoring of the City's Risk Management Programs, subject to the directives of the Mayor/Chief Administrative Officer and subject to the orders, regulations and ordinances of this City Council.

7. No City department shall be authorized to expend any funds, from whatever source derived, unless and until such funds have been appropriated and made available for a particular purpose through recommendation by the Mayor and approval of this City Council. This paragraph shall be applicable to the expenditure, for City purposes, of any funds raised by foundations which are or have been created to benefit particular City departments or functions. The Board of Finance may, however, promulgate guidelines and preapproval criteria authorizing expenditure for City purposes of funds raised by entities or foundations created for the purpose of benefiting particular City departments and soliciting donations for such purposes.

8. Commissions shall retain all existing regulatory authority unless otherwise directed by the City Council such as, for illustrative purposes only, the determination of traffic and parking regulations by the Public Works Commission, the determination of rules and regulations for use of City parks promulgated by the Parks and Recreation Commission, rules and regulations relating to the operation of the Burlington International Airport by

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9. the Board of Airport Commissioners and regulations relating to the City's electric system by the Board of Electric Commissioners. Adoption of national codes such as building, fire prevention, etc., shall be subject to the orders, regulations and ordinances of this City Council.
10. Commissioners shall continue to exercise their current authority with regard to the consideration/adjudication of employee grievances pursuant to the City of Burlington's Comprehensive Personnel Policy and Collective Bargaining Agreements. However, in this context, such Commissioners shall be bound by City wide policies as articulated by the Director of Human Resources.
11. The Church Street Marketplace District Commission shall continue to be responsible for developing and recommending the standards for common area fees and the assessment of common area fees to this City Council.
12. The Board of Electric Commissioners and the Public Works Commission shall have responsibility to approve any recommendation by departmental management for increases in electric rates, water rates and wastewater rates, and to recommend to the Mayor the same and City Council for its ultimate adoption. The Electric Department shall report to the City Council, ~~not less than frequently than at least~~ once per year, indicating its short and long term planning for electric power and energy supply.
12. The Board of Police Commissioners and Fire Commissioners shall continue to have authority, upon recommendation of the Chief of Police and Chief Engineer of the Fire Department respectively, to approve, using procedures and processes administered by the

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Department of Human Resources, the hiring of individuals as police officers and firefighters, and shall also continue to be the last administrative step in the determination of whether a police officer or firefighter should be discharged.

13. The specific standards set forth herein for departments with Boards of Commissioners shall also be applicable to City departments which are not governed by a commission.
14. The Mayor is authorized to supplement and implement the provisions of this Resolution by Executive Order so long as such Orders are consistent with the dictates of this Resolution.
15. The Superintendents of the various City departments shall have responsibility to manage such departments by providing the special and immediate care and practical supervision thereof, subject to the policies established by this City Council, the authorized policies established by the Board of Commissioners and the authority of the Mayor as Chief Executive Officer, a portion of which authority may be delegated to the Chief Administrative Officer.

16. The Mayor is authorized to establish by executive order standards for the utilization of engineering, architectural, construction management and construction services to the City.
17. The provisions of this Resolution shall not be applicable to the Burlington School Department.

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CITY

18. This Resolution shall be effective as of January 1, 2002.

Except as otherwise specified herein, City Commissions and department heads shall

continue to exercise the authorities and responsibilities which they were authorized to exercise as

of June 30, 2001.

231105/00013 Resolution re Governance 11-13-01
Ib/jem/c: Resolutions 2001/Reorganization of the Governance of the City
11/19/01; as amended 11/19/01