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## CITY OF COLUMBUS - BID WAIVER INFORMATION FORM

TO ACCOMPANY LEGISLATION WHICH WAIVES ANY PROVISIONS OF COLUMBUS CITY CODES CHAPTER 329  
(PLEASE LIMIT YOUR RESPONSE TO THIS SHEET)

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1. **In accordance with section 329.27 of the Columbus City Code, City Council may determine that the City's best interest is served by waiving the City Code Formal Bid procedures for the following reason(s):** (Note that these reasons are all based on time. Currently, formal bid average completion time is 189 calendar days.)
- An unanticipated breakdown created an unplanned, emergency need.
  - The item to be purchased is of a perishable nature, the price or availability will perish before the formal bid process can be completed.
  - Need to extend an existing contract for one year or more where no provision for extension was included in the original bid/contract.
  - Need to increase a contract for additional supplies/services, although the original contract obligations have been fulfilled.
  - A new law or regulation requires immediate compliance; there is insufficient time to accomplish formal competitive bidding and satisfy the needs in order to comply.
  - Other: There is not enough time to obtain formally advertised, competitive sealed bids to satisfy the needs because: Formal bids were received, however, they were considered on an informal basis.

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**2. Informal bid procedure used:**  Yes  No **Explain:** Formal bids were received by the Purchasing Office on 5/28/2009. The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06. (Proposal No. SA003271). The only bidder, though compliant with the technical specifications, was rejected as they submitted additional terms and conditions. Upon approval by the Technology Director, the Purchasing Office informally reconsidered the bid and with guidance and assistance from the City Attorney's Office entered into negotiations with the bidder. These successful negotiations resulted in an acceptable agreement. A contract will now be established with Agilysys Inc., as the lowest and best bid received.

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**3. Informal bids received and prices for each:** Formal bid, considered on an informal basis, after negotiations is from Agilysys Inc at list prices for services and equipment minus 15 to 40% (depending on product):

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**4. If lowest bid was not accepted, Explain:** Low bid was accepted.

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