The Honorable Matthew D. Habash President Columbus City Council 90 West Broad Street Columbus, Ohio 43215

The Honorable Hugh J. Dorrian City Auditor City Auditor's Office 90 West Broad Street Columbus, Ohio 43215

RE: Declaration of Emergency

Division of Power and Water

Carbon Dioxide

Dear President Habash and Mr. Dorrian:

Columbus City Council passed Ordinance number 0423-2006 on March 13, 2006 for the Division of Power and Water to purchase water treatment chemical carbon dioxide from EPCO Carbon Dioxide Products (UL005269). On June 23, 2006 EPCO Carbon Dioxide Products notified the City that they could no longer continue to service the City's carbon dioxide requirements effective immediately. This water treatment chemical is critical to the Division's ability to maintain a safe and clean drinking water supply to the City of Columbus and surrounding communities.

The Purchasing Office informally solicited bids from all known suppliers of carbon dioxide. Of the five known suppliers of carbon dioxide Praxair was the lowest, responsive, and responsible bid received. Currently the Purchasing Office is in the process of formally advertising for bids with the intention of having a contact in place by August 1, 2006. The Division of Power and Water would like to enter into a contract with Praxair, for carbon dioxide, in the amount of \$540,000.00 or as much thereof as may be needed and to waive the provisions of competitive bidding. The Contract Compliance number for Praxair is 06-1249050. They do not have certified MBE/FBE status.

President Habash & Mr. Dorrian Page Two June 28, 2006

An emergency ordinance is being prepared to purchase carbon dioxide due to the unexpected termination of service of our current supplier.

This event presents a clear and present danger to public health, safety, and welfare. The only sanctioned method to contract for these goods and services without certified funds is to execute an emergency waiver in accordance with Section 329.27 of the Columbus City Codes. Therefore, in accordance with the emergency waiver provision of the Columbus City Codes, Title Three, Article Three, Chapter 329.27, I have declared an emergency, and authorize the Director of Public Utilities to enter into a contract with Praxair, at an amount not greater than \$540,000.00, to cover the cost of this water treatment chemical.

Sincerely,

Cheryl Roberto Director

MBC:CR:jdb

pc: The Honorable Matthew D. Habash, President, Columbus City Council Members of Columbus City Council The Honorable Hugh J. Dorrian, City Auditor Joel Taylor, Director Dept. of Finance and Management Rick Westerfield, Administrator, Division of Power & Water

APPROVAL:		
Michael B. Coleman, Mayor	Date	

REQUEST FOR MAYOR COLEMAN'S SIGNATURE (Please print or type. Thank you)

Current Date: JUNE	28, 2006		
Date Signature is neede	d: JUNE 2 (Date on corresp processing)	28, 2006 pondence should	reflect 3-5 business days to allow for
Please Check:	Correspondence Legal	ex	
Department Re	equesting Signatur	re PUBLI	C UTILITIES
Document Prep	pared by:	James D. Bond, Name and Phon	645-6272 te number
Chief Of Staff:	Name		
Deputy Chief of Staff	Name		
Director	Name		Date
dioxide requirements ef Division's ability to mai surrounding communit declaration is the neede	ed the City that the fective immediate intain a safe and cies This failure to the din response to the Mayor	ney could no longed by. This water trulean drinking wan ust be addressed his situation. Deli's Emergency, all	ter, On June 23, 2006 EPCO Carbon er continue to service the City's carbon eatment chemical is critical to the ter supply to the City of Columbus and dimmediately. A Mayor's Emergency ivery of this chemical will be begun I legal requirements will be observed, and in to Council ASAP.