

**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)

**1. Reasons for waiving City Code bid procedure:**

- emergency breakdown causing unplanned need
- item to be purchased is of a perishable nature
- need to extend and existing contract
- there is not enough time to obtain formal bids to satisfy need
- non-price error on either the bidder's or the City's part in the bid proposal
- a new law or regulation requires immediate compliance
- other      Formal bids were received on March 25, 2009 but lowest bidder, Kokosing Construction Co.'s proposed subcontractor, Ameriguard, did not become contract compliant within the 7 allowed days after the bid opening.

**2. Detailed explanation of reason (must be completed by division):**

Formal bids were received on March 25, 2009 for the Hap Cremean Water Plant (HCWP) Lagoon No. 2 Embankment Modifications Project. Kokosing Construction Co. submitted the lowest bid at \$2,019,455.68. Ameriguard was listed as a proposed subcontractor but an application for contract compliance was not attached to their bid nor did Ameriguard become contract compliant within the 7 allowed business days after the bid opening, as stated in provision M-5 of the contract documents. Ameriguard Inc. is proposed to perform Security Services for a subcontract amount of \$27,400.00, 1.36% of the total contract dollar amount. Ameriguard was previously contract compliant as a registered FBE but had lapsed into inactive status; an updated contract compliance application was submitted 9 business days after the bid opening.

The difference between the lowest bidder, Kokosing Construction Co. and the next lowest bidder, Trucco Construction Co. is \$294,056.19. The Division of Power and Water applied for monies from the Water Supply Revolving Loan Account Fund. If the Division were to award to the second lowest bidder, a loan could not be obtained until after their May 28, 2009 loan approval meeting. A significant portion of the construction season would be lost by the time a certified contract could be produced.

**3. Informal procedure used:**

Formal bids were received on March 25, 2009.

**4. Informal bids received and prices for each:**

Formal bids received on March 25, 2009

Kokosing Construction Company, Inc. - \$2,019,455.68  
 Trucco Construction Co. - \$2,313,511.87  
 George J. Igel & Co. - \$2,527,718.60  
 Mark Haynes Construction, Inc. - \$2,692,543.04  
 Central Ohio Building Co. - \$3,400,051.03

**5. If lowest bid was not accepted, explain criteria for award:**

Lowest bidder would be awarded but competitive bids would have to be waived due to a technical error with the lowest bid.

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 (Authorized Signature)