
**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. 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 160 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: Support for Oracle Linux expired on December 17, 2009. Oracle Linux is the operating system for the Columbus Utility Billing System (CUBS), and there is an immediate need to renew support to enable other required updates to the CUBS system. Since the last contract expired (EE004582), the City has had to negotiate directly with Oracle to establish mutually agreeable language in an Oracle required agreement for its Linux customers. These negotiations were concluded, with review from the City Attorney, on October 12, 2010.

2. Informal bid procedure used: Yes No Explain:

The Oracle Linux support was last purchased from Columbus Supply, the winning bidder in solicitation SO026606. PO EE004582 was established for a one year term with 2 options for annual renewal. The first option was exercised under PO EE006329. The second renewal option was not exercised as a result of requirements to sign an agreement with Oracle, who was not a party to the City's then existing contract with Columbus Supply.

3. Informal bids received and prices for each:

Results of the last bid are recorded in bid tabulation for solicitation SO026606. Given the requirement to sign an agreement with Oracle to obtain support for Oracle Linux either directly from Oracle or from an authorized Oracle Linux reseller, this purchase is the result of direct negotiations with Oracle. Oracle is offering a 10% discount off of list price for this support renewal.

4. If lowest bid was not accepted, Explain:

Certain terms and conditions of the standard Oracle agreement are not acceptable to the City. Direct negotiations with Oracle were required to establish mutually agreeable amendments to the standard agreement.

Ordinance No.: 1577-2010

Approved By: Authorized Approval on Corresponding Legislative File

