



## Legislation Details (With Text)

**File #:** 1135-2024      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 4/12/2024      **In control:** Public Service & Transportation Committee

**On agenda:** 5/20/2024      **Final action:** 5/22/2024

**Title:** To authorize the Director of Finance and Management to enter into contract with Ohio Machinery Co. to purchase The Screen Machine trommel screen plant to support litter control and recycling initiatives from the sole dealer in the region per the sole source provisions of City Code Chapter 329; to authorize the expenditure of up to \$168,750.00 from and the General Government Grants Fund and \$56,250.00 from the Municipal Motor Vehicle Tax Fund for the The Screen Machine trommel screen plant; to repay any unused grant funds at the end of the grant period; and to declare an emergency. (\$225,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2023 Ohio EPA Application Legislation.pdf, 2. ROG Application - DOIM.pdf, 3. City of Columbus Keep Columbus Beautiful Signed Contract.pdf, 4. Executive Orders 2019-12D and 2022-02D.PDF, 5. Sole Source Form.pdf, 6. Ord 1135-2024, Legislation template.pdf

| Date      | Ver. | Action By             | Action   | Result |
|-----------|------|-----------------------|----------|--------|
| 5/22/2024 | 1    | ACTING CITY CLERK     | Attest   |        |
| 5/21/2024 | 1    | MAYOR                 | Signed   |        |
| 5/20/2024 | 1    | COUNCIL PRESIDENT     | Signed   |        |
| 5/20/2024 | 1    | Columbus City Council | Approved | Pass   |

### 1. BACKGROUND

This ordinance authorizes the Director of Finance to enter into a contract with Ohio Machinery Co. (dba Ohio Cat) for the purchase of one The Screen Machine 612T trommel screen plant for the Department of Public Service, Division of Infrastructure Management. The Division of Infrastructure Management will use this machinery for diverting waste away from the landfill and will enable the reuse and recycling of the materials, meeting department and city litter control and recycling initiatives.

Ordinance 3139-2023 authorized the Director of Public Service, on behalf of the City of Columbus, to submit applications to and execute grant agreements with the Ohio Environmental Protection Agency relative to litter control and recycling initiatives, accept, appropriate, and expend awarded grant funds, and issue refunds, if necessary.

The vendor has been verified as the sole distributor for this machinery in Ohio. The cost of the equipment was determined by requested quote from the vendor. The grant awarded for this equipment names this specific model in the award documentation. The Department of Public Service, Division of Infrastructure is requesting for the Director of Finance enter directly into contract with Ohio Machinery Co. and to establish a purchase order with Ohio Machinery Co. to purchase the The Screen Machine 612T trommel screen plant.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Ohio Machinery Co.

### 2. CONTRACT COMPLIANCE

The contract compliance number for Ohio Machinery Co. is CC006428 and expires on 06/08/2024.

**3. FISCAL IMPACT**

A grant from the Ohio Environmental Protection Agency in the amount of \$168,750.00 will partially fund the purchase of this equipment. Public Service will contribute a 25% local share in the amount of \$56,250.00 from the Municipal Motor Vehicle Tax Fund, Fund 2266.

**4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract opportunity was submitted to the City’s Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal. ODI determined there was not an opportunity for MBE/WBE participation in this contract and did not assign a goal.

**5. SOLE SOURCE**

Ohio Machinery Co. is the sole Ohio dealer for this specialized equipment that aids in litter reduction and recycling initiatives.

**6. EMERGENCY DESIGNATION**

Emergency action is requested to ensure the Division of Infrastructure Management receives The Screen Machine 612T trommel screen plant as soon as possible due to the limited time pricing is valid and the limited grant period.

To authorize the Director of Finance and Management to enter into contract with Ohio Machinery Co. to purchase The Screen Machine trommel screen plant to support litter control and recycling initiatives from the sole dealer in the region per the sole source provisions of City Code Chapter 329; to authorize the expenditure of up to \$168,750.00 from and the General Government Grants Fund and \$56,250.00 from the Municipal Motor Vehicle Tax Fund for the The Screen Machine trommel screen plant; to repay any unused grant funds at the end of the grant period; and to declare an emergency. (\$225,000.00)

**WHEREAS**, Ordinance 3139-2023 authorized the Department of Public Service, Division of Infrastructure Management to apply for and accept a special assistance grant from the Ohio Environmental Protection Agency for purchase of The Screen Machine 612T to assist with litter control and recycling initiatives; and

**WHEREAS**, Ordinance 3139-2023 authorized the execution of the grant agreement and other requisite agreements related to a special assistance grant, appropriation and expending grant funds awarded by Ohio EPA, and refund of any unused funds; and

**WHEREAS**, ODI determined there was not an opportunity for MBE/WBE participation in this contract and did not assign a goal and the requirements of the program are not applicable to this contract; and

**WHEREAS**, it is in the City's best interests to utilize the sole source bidding provisions of City Code Chapter 329 for this purchase from Ohio Machinery Co. as this vendor is the sole dealer of this machinery in Ohio; and

**WHEREAS**, it has become necessary in the usual daily operation in the Department of Public Service to authorize the Director of Finance and Management to enter into a contract and authorize the expenditure with Ohio Machinery Co.; and

**WHEREAS**, funds are available in the General Government Grants Fund for this expense; and

**WHEREAS**, at the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of Infrastructure Management, in that it is immediately necessary to authorize the Director of Finance and Management to

enter into contract with Ohio Machinery Co. so that The Screen Machine 612T trommel screen plant can be purchased and paid for during the grant period and put into service as quickly as possible, thereby preserving the public health, peace, property, safety, and welfare; **now, therefore**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Finance and Management be and is hereby authorized to establish a contract with Ohio Machinery Co. for the purchase of The Screen Machine 612T trommel screen plant for the Department of Public Service, Division of Infrastructure Management.

**SECTION 2.** That the expenditure of \$168,750.00 or as much thereof as may be needed, is hereby authorized in Fund 2220 (General Government Grants Fund), Dept-Div 5911 (Division of Infrastructure Management) in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the expenditure of \$56,250.00 or as much thereof as may be needed, is hereby authorized in Fund 2266 (Municipal Motor Vehicle Tax Fund), Dept-Div 5911 (Division of Infrastructure Management) in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That this Council finds it in the City's best interest to utilize sole source procurement to purchase the equipment from Ohio Machinery Co., the sole dealer in Ohio per provisions of Columbus City Code Chapter 329.

**SECTION 5.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 6.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 7.** At the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

**SECTION 8.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.