



Legislation Details (With Text)

File #: 0136-2008 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 1/15/2008 **In control:** Public Service & Transportation Committee
On agenda: 2/25/2008 **Final action:** 2/28/2008

Title: To authorize the Public Service Director to establish an encumbrance of 14,200,000 to pay 2008 refuse tipping fees to the Solid Waste Authority of Central Ohio (SWACO) for the Refuse Collection Division pursuant to an existing lease agreement; to establish encumbrances for 2008 tire disposal, C&D material disposal, and for processing of recyclables; to authorize the expenditure of \$14,250,000.00 or so much thereof as may be necessary from the Special Income Tax Fund; to waive the competitive bidding requirements of the Columbus City Code due to our longstanding contractual agreement with SWACO; and to declare an emergency. (\$14,250,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. bid waiver.pdf

Date	Ver.	Action By	Action	Result
2/28/2008	1	CITY CLERK	Attest	
2/27/2008	1	MAYOR	Signed	
2/25/2008	1	Columbus City Council	Approved	Pass
2/25/2008	1	COUNCIL PRESIDENT	Signed	
2/7/2008	1	CITY ATTORNEY	Reviewed and Approved	
2/7/2008	1	Service Reviewer	Sent to Clerk's Office for Council	
2/6/2008	1	Auditor Reviewer	Reviewed and Approved	
2/6/2008	1	CITY AUDITOR	Reviewed and Approved	
2/6/2008	1	Service Reviewer	Sent for Approval	
2/6/2008	1	EBOCO Reviewer	Reviewed and Approved	
2/6/2008	1	ODI DIRECTOR	Reviewed and Approved	
2/6/2008	1	SERVICE DIRECTOR	Reviewed and Approved	
2/5/2008	1	FINANCE DIRECTOR	Reviewed and Approved	
2/5/2008	1	Service Reviewer	Sent for Approval	
2/4/2008	1	Finance Reviewer	Reviewed and Approved	
1/31/2008	1	Finance Reviewer	Reviewed and Approved	
1/25/2008	1	SERVICE DIRECTOR	Reviewed and Approved	
1/16/2008	1	Service Reviewer	Reviewed and Approved	
1/15/2008	1	Service Drafter	Sent for Approval	

This legislation authorizes the Public Service Director to establish an encumbrance within the Special Income Tax Fund to pay 2008

waste disposal tipping fees for the Refuse Collection Division. This expense is necessary to safely and contractually dispose of the waste collected by the Division in the course of pursuing its mission by providing residential refuse collection services to over 327,000 households weekly.

The Finance Department has determined that \$14,250,000.00 should be adequate for this purpose. This number is based on estimated waste stream of 351,250 tons in 2008. Actual tonnage is ultimately dependent on variables such as the weather and the actual number of households collected that cannot be specifically calculated at this time. If necessary, additional legislation will be submitted to increase this at a later date. Previous years' actual tipping fee expenditures totaled \$11,057,297.07 (2005), \$11,943,315.38 (2006), and \$12,989,226.07 (2007). Tipping fee rates are determined by SWACO's established rate setting process.

Also, pursuant to the ninth (9th) modification to the Agreement between the City and SWACO, part of the tipping fees will help fund the expansion of the drop-off recycling program.

Formal competitive bidding requirements must be waived for SWACO because waste disposal services, other than those provided by SWACO, are available in the marketplace; however the City is bound by contract to tip household waste at SWACO facilities. The Division will seek bids for waste stream disposal services not provided by SWACO: tire disposal, Construction and Demolition (C&D) material disposal, and processing of recyclables.

This 2008 expense is budgeted within the Special Income Tax Fund.

Emergency action is requested to avoid delays of payment to SWACO that could result in the City incurring interest penalties as specified within the Agreement between the City and SWACO.

To authorize the Public Service Director to establish an encumbrance of 14,200,000 to pay 2008 refuse tipping fees to the Solid Waste Authority of Central Ohio (SWACO) for the Refuse Collection Division pursuant to an existing lease agreement; to establish encumbrances for 2008 tire disposal, C&D material disposal, and for processing of recyclables; to authorize the expenditure of \$14,250,000.00 or so much thereof as may be necessary from the Special Income Tax Fund; to waive the competitive bidding requirements of the Columbus City Code due to our longstanding contractual agreement with SWACO; and to declare an emergency. (\$14,250,000.00)

WHEREAS, the Refuse Collection Division must encumber funds to continue refuse tipping at the Solid Waste Authority of Central Ohio's facilities pursuant to the lease agreement between the City and the Authority for those facilities, for disposal of tires, construction and demolition material disposal, and processing of recyclables; and

WHEREAS, an emergency exists in the usual daily operation of the Refuse Collection Division, Public Service Department, in that it is immediately necessary to establish an encumbering document with the Solid Waste Authority of Central Ohio for 2008 refuse disposal services to avoid incurring interest penalties due to late payments, 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 Public Service Director be and hereby is authorized to establish an encumbrance with the Solid Waste Authority of Central Ohio for 2008 refuse tipping services for the Refuse Collection Division at the various rate charges assigned to each tipping location and any legal subsequently adjusted rates, and to establish encumbrances with yet-to-be determined vendors for disposal of tires, construction demolition material, and processing of recyclables.

SECTION 2. That the expenditure of \$14,250,000.00.00 or so much thereof as may be needed be and hereby is authorized from Fund 430, the Special Income Tax Fund, Department No. 59-02, Public Service Department, Refuse Collection Division, Object Level One Code 03, Object Level Three Code 3389 and OCA Code 593566.

SECTION 3. That in accordance with Section 329.27 of the Columbus City Code, City Council has determined that it is in the best interest of the City of Columbus that Section 329.06 relating to formal competitive bidding requirements be waived and hereby waives said section with respect to the encumbrance to be established with SWACO, all other contracts will be awarded in accordance with applicable provisions of Chapter 329.

SECTION 4. 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.