



## Legislation Details (With Text)

**File #:** 1551-2009      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 11/6/2009      **In control:** Public Service & Transportation Committee  
**On agenda:** 12/7/2009      **Final action:** 12/9/2009

**Title:** To authorize the Director of Finance and Management to establish purchase orders with Toter, Incorporated for the purchase of mechanized collection containers and container parts for the Division of Refuse Collection per the terms and conditions of existing citywide contracts; to authorize the expenditure of \$184,249.35 or so much thereof as may be needed from the Gov'l Build America Bonds (B.A.B.s) Fund and the Refuse G.O. Bonds Fund; and to declare an emergency.(\$184,249.35)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/9/2009	1	CITY CLERK	Attest	
12/7/2009	1	Columbus City Council	Approved	
12/7/2009	1	COUNCIL PRESIDENT	Signed	
12/7/2009	1	MAYOR	Signed	
11/25/2009	1	Service Drafter	Sent for Approval	
11/25/2009	1	CITY AUDITOR	Reviewed and Approved	
11/25/2009	1	Service Drafter	Sent for Approval	
11/25/2009	1	CITY ATTORNEY	Reviewed and Approved	
11/25/2009	1	Service Drafter	Sent to Clerk's Office for Council	
11/23/2009	1	Service Drafter	Sent for Approval	
11/23/2009	1	Auditor Reviewer	Reviewed and Approved	
11/23/2009	1	Service Drafter	Sent for Approval	
11/23/2009	1	Auditor Reviewer	Reviewed and Approved	
11/23/2009	1	CITY AUDITOR	Reviewed and Approved	
11/11/2009	1	Finance - Purchasing Reviewer	Reviewed and Approved	
11/11/2009	1	FINANCE DIRECTOR	Reviewed and Approved	
11/10/2009	1	Finance Reviewer	Reviewed and Approved	
11/10/2009	1	Finance Reviewer	Reviewed and Approved	
11/6/2009	1	Service Drafter	Sent for Approval	
11/6/2009	1	Service Reviewer	Reviewed and Approved	
11/6/2009	1	Service Drafter	Sent for Approval	

11/6/2009	1	SERVICE DIRECTOR	Reviewed and Approved
11/6/2009	1	Service Drafter	Sent for Approval

**1. BACKGROUND**

The Division of Refuse Collection utilizes 96 gallon containers in its mechanized collection system. These containers are distributed to new residences and are also used for replacement and in-fill purposes. The Division also requires replacement parts for containers that are not covered by warranties. This legislation authorizes the Director of Finance and Management to establish purchase orders for the purchase of 96 gallon refuse containers and container parts for the Division of Refuse Collection per the terms and conditions of existing citywide contracts as follows:

Toter, Incorporated - contract #FL003356 expiring December 31, 2009

Quantity and item purchased / extended cost

Approximately 2,709 96-gallon containers and miscellaneous parts (lids, wheel sets, fasteners, etc.) / Total estimated expenditure of \$184,249.35

The total expenditure authorized within this ordinance is \$184,249.35.

**2. CONTRACT COMPLIANCE**

Toter, Incorporated's contract compliance number is 56-1362422 and expires September 28, 2011.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Toter, Inc.

**3. FISCAL IMPACT**

This purchase is budgeted within The Division of Refuse Collection 2009 Capital Improvement Budget. This ordinance authorizes an expenditure of \$184,249.35 for approximately 2,709 96 gallon containers and miscellaneous parts.

**4. EMERGENCY DESIGNATION**

Emergency action is requested to expedite the receipt of these containers/container parts to continue uninterrupted refuse collection service to residents.

To authorize the Director of Finance and Management to establish purchase orders with Toter, Incorporated for the purchase of mechanized collection containers and container parts for the Division of Refuse Collection per the terms and conditions of existing citywide contracts; to authorize the expenditure of \$184,249.35 or so much thereof as may be needed from the Gov'l Build America Bonds (B.A.B.s) Fund and the Refuse G.O. Bonds Fund; and to declare an emergency.(\$184,249.35)

**WHEREAS**, the Division of Refuse Collection has determined the need for additional 96 gallon containers and container parts for use in its operations; and

**WHEREAS**, citywide UTC contracts with Toter, Incorporated exist for the purchase of said containers and container parts; and

**WHEREAS**, the purchase of these containers and parts constitutes part of this Division's scheduled container replacement program and is a budgeted expense within the division's 2009 Capital Improvement Budget; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Refuse Collection, Department of Public Service, in that it is immediately necessary to purchase these containers and container parts to continue uninterrupted refuse collection service to residents, 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 hereby is authorized to establish a purchase order in the amount of \$184,249.35 with Toter, Incorporated, 841 Meacham Road, Statesville, NC, 28677, for the purchase of approximately 2,709 96-gallon containers and miscellaneous parts in accordance with the terms and conditions of universal term contract (UTC) FL003356 established for this purpose.

**Section 2.** That to pay the cost of the aforementioned purchase orders, the expenditure of \$184,249.35 or so much thereof as may be needed be and hereby authorized for the Department of Public Service, Division of Refuse Collection, 59-02, as follows;

Fund / Fund Name / Project / O.L. 01-03 Codes / OCA code / Amount

746 / Build America Bonds (B.A.B.s) Fund / 520001-100000 / 06-6651 / 746521 / \$183,752.00

703 / Refuse G.O. Bonds Fund / 520001-100000 / 06-6651 / 703001 / \$497.35

**Section 3.** 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 4.** That for 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.