



## Legislation Details (With Text)

**File #:** 3032-2023      **Version:** 1

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

**File created:** 10/25/2023      **In control:** Public Utilities Committee

**On agenda:** 12/4/2023      **Final action:** 12/7/2023

**Title:** To authorize the Director of Finance and Management to enter into contract with Kevin Lehr Associates for the purchase of Wooden Utility Poles for the Division of Power; to authorize the waiver of the competitive bidding requirements of Chapter 329 of the Columbus City Codes; to authorize the expenditure of \$407,690.00 from the Division of Electricity Operating Fund; and to declare an emergency. (\$407,690.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 3032-2023 Financial Coding, 2. ORD 3032-2023 Information, 3. ORD 3032-2023 Bid Tabulation, 4. ORD 3032-2023 Bid Waiver Form

Date	Ver.	Action By	Action	Result
12/7/2023	1	CITY CLERK	Attest	
12/6/2023	1	ACTING MAYOR	Signed	
12/4/2023	1	COUNCIL PRESIDENT	Signed	
12/4/2023	1	Columbus City Council	Approved	Pass

**BACKGROUND:** To authorize the Director of the Department of Finance and Management to enter into a contract with Kevin Lehr Associates for the purchase of Wooden Utility Poles for the Division of Power. The Wooden Utility Poles will be used for new installations and for maintenance, repair, replacement and construction projects to maintain the street lighting system in the Columbus Area.

The Purchasing Office advertised and solicited informal competitive bids in accordance with the relevant provisions of City Code Chapter 329 relating to competitive bidding (RFQ026210). Sixty-nine (69) vendors (3 EBE, 57 MAJ, 7 MBE, 1 MBE/VBE, 1 WBE) were solicited and four (4) bids (4 MAJ) were received and opened on November 13, 2023. Informal bids were solicited due to time constraints and the lead time to procure Wooden Utility Poles, therefore, a bid waiver is required in accordance with Chapter 329 of the Columbus City Code.

The lowest bidder, Planet Holding, Inc. is not registered with the Ohio Secretary of State and has not completed their contract compliance application which are requirements of the City of Columbus, therefore due to time restraints, the Department of Public Utilities feels it is in the best interest to move to the next bidder.

Therefore, the Division of Power recommends an award be made for all items to Kevin Lehr Associates in the amount of \$407,690.00 as the most responsive, responsible and best bidder.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

**EMERGENCY DESIGNATION:** The Department of Public Utilities respectfully requests this legislation be considered for immediate use to avoid interruption of City services due to the current inventory stock and the long lead times to procure Wooden Utility Poles.

**SUPPLIER:** Kevin Lehr Associates, Vendor #003880, CC#29-7424991, expires 6/14/24, (MAJ)

**FISCAL IMPACT:** \$407,690.00 has been budgeted for this purchase.

\$37,498.00 was spent in 2022  
\$286,340.05 was spent in 2021

To authorize the Director of Finance and Management to enter into contract with Kevin Lehr Associates for the purchase of Wooden Utility Poles for the Division of Power; to authorize the waiver of the competitive bidding requirements of Chapter 329 of the Columbus City Codes; to authorize the expenditure of \$407,690.00 from the Division of Electricity Operating Fund; and to declare an emergency. (\$407,690.00)

**WHEREAS,** the Division of Power will use the Wooden Utility Poles for new installations and maintenance, repair, replacement and construction projects to maintain the street lighting system in the Columbus Area; and

**WHEREAS,** the Purchasing Office opened informal bids on November 13, 2023 for the purchase of Wooden Utility Poles for the Division of Power; and

**WHEREAS,** the Division of Power recommends an award be made to Kevin Lehr Associates, the most responsive and responsible and best bidder; and

**WHEREAS,** it is necessary for Council to authorize a waiver of the competitive bidding requirements of Columbus City Codes to procure the Wooden Utility Poles; and

**WHEREAS,** this ordinance authorizes the expenditure of \$407,690.00, or so much thereof as may be needed, for the purchase of Wooden Utility Poles from the Electricity Operating Fund; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is immediately necessary to authorize the Director of the Finance and Management Department to enter into contract with Kevin Lehr Associates in accordance with the terms, conditions and specifications of Solicitation Number RFQ026210 on file in the Purchasing Office in light of lengthy lead times for the purchase of the Wooden Utility Poles, all for the immediate preservation of the public health, peace, property, and safety; **NOW, THEREFORE,**

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

**SECTION 1.** That the Director of the Department of Finance and Management be and is hereby authorized to enter into contract with Kevin Lehr Associates for the purchase of Wooden Utility Poles for the Division of Power, in accordance with RFQ026210 specifications on file in the Purchasing Office.

**SECTION 2.** That the expenditure of \$407,690.00, or as much thereof as may be needed, is hereby authorized in Fund 6300 (Electricity Operating); in Object Class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That this Council has determined that it is in the best interest of the City of Columbus to waive, and does hereby waive, the competitive bidding provisions of Columbus City Codes Chapter 329 to enter into the contract.

**SECTION 4.** 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 5.** 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 6.** 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, which 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.