



## Legislation Details (With Text)

**File #:** 0533-2005      **Version:** 1

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

**File created:** 3/8/2005      **In control:** Administration Committee

**On agenda:** 4/11/2005      **Final action:** 4/13/2005

**Title:** To authorize and direct the Finance Director to modify and extend the existing citywide contract for the option to purchase wireless voice and data services, excluding those wireless data services being used by the Department of Safety, Division of Police, via modems, from Cingular Wireless, to waive competitive bidding requirements and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CINGULAR WAIVER ORD 0533 2005 UTC VOICE.pdf

| Date      | Ver. | Action By                    | Action                             | Result |
|-----------|------|------------------------------|------------------------------------|--------|
| 4/13/2005 | 1    | ACTING CITY CLERK            | Attest                             |        |
| 4/12/2005 | 1    | ACTING MAYOR                 | Signed                             |        |
| 4/11/2005 | 1    | Columbus City Council        | Approved                           | Pass   |
| 4/11/2005 | 1    | COUNCIL PRESIDENT            | Signed                             |        |
| 4/1/2005  | 1    | Finance - Purchasing Drafter | Sent for Approval                  |        |
| 4/1/2005  | 1    | CITY ATTORNEY                | Reviewed and Approved              |        |
| 4/1/2005  | 1    | Finance - Purchasing Drafter | Sent to Clerk's Office for Council |        |
| 3/18/2005 | 1    | EBOCO Reviewer               | Reviewed and Approved              |        |
| 3/18/2005 | 1    | ODI DIRECTOR                 | Reviewed and Approved              |        |
| 3/17/2005 | 1    | FINANCE-PURCHASING APPROVER  | Reviewed and Approved              |        |
| 3/15/2005 | 1    | Finance - Purchasing Drafter | Sent for Approval                  |        |

**BACKGROUND:** To modify and extend the existing citywide contract for the option to purchase wireless voice and data services for any city agency, (the Department of Public Service is the largest user), to and including December 31, 2005. (Excluding the wireless data services, via modem, for the Department of Safety\ Division of Police) The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Proposal No. 90-95BW). Formal bids were opened on July 7, 1995. CT-17225 with Cingular Wireless was established in accordance with bids received. Their contract compliance number is 51-0272178. This company is not listed on the Auditor of State Findings for Recovery Database. This company is not listed on the Federal Excluded Parties Listing.

1. **Amount of additional funds:** No funding is required to modify the option contract(UTC). The estimated annual expenditure for the contract is \$140,000.00. Each agency must obtain approval to expend from their own budgeted funds for their actual expenditures from this contract.

2. **Reason additional needs were not foreseen:** The Department of Technology and the Finance/Purchasing Office had previously determined that, based on the volatile marketplace conditions, continuing the existing agreement was in the best interest of the City. The volatility in wireless voice and data services had stabilized to such a point that a RFSQ process was initiated. During the process of the presentations from each carrier and the subsequent evaluations the previously mentioned volatile climate returned. The Department of Technology has entered in an agreement with a telecommunication consultant to assist in not only defining the present

climate but also to do an analysis of invoices, research how wireless voice and wireless data is presently being used by city agencies, assist in creating a transfer of wireless voice and data policy, and make a recommendation on the best solution for the use of wireless voice and data transfer. All pricing and other contract conditions are in accordance with negotiated terms and conditions over the lifetime of the agreement.

3. Reason other procurement processes not used: The Department of Technology and the Finance/Purchasing Office are currently in the evaluation process with a telecommunications consulting firm. Additional time is needed for the process to be concluded.

4. How cost was determined: The cost, terms and conditions are in accordance with negotiations over the life of the agreement.

**FISCAL IMPACT:** No funding is required to extend the option contract. Each agency will establish a purchase order for their estimated annual expenses (based on their budget requests) for wireless voice services.

This ordinance is being submitted as an emergency measure because without emergency action, no less than 37 days will be added to the procurement cycle and the efficient delivery of public services will be slowed.

To authorize and direct the Finance Director to modify and extend the existing citywide contract for the option to purchase wireless voice and data services, excluding those wireless data services being used by the Department of Safety, Division of Police, via modems, from Cingular Wireless, to waive competitive bidding requirements and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids and selected the lowest bid; and

WHEREAS, the vendor has agreed to extend CT-17225 to provide wireless voice services at current (de-escalated) prices and conditions to and including December 31, 2005, and it is in the best interest of the City to exercise this option; and

WHEREAS, in order to avoid a lapse in our ability to provide wireless voice and data services to any agency as needed to allow ongoing communication between field personnel and support agencies, this ordinance is being submitted as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of various city agencies, including the Department of Public Service, in that it is immediately necessary to extend CT-17225 for an option to purchase wireless voice and wireless data services for all agencies excluding the Division of Police wireless data modem services 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 Finance Director be and is hereby authorized and directed to modify and extend CT-17225 with Cingular Wireless to provide wireless voice services to and including December 31, 2005.

SECTION 2. That in accordance with Section 329.27 of the Columbus City Code, this Council finds the best interest of the City is served by waiving, and does hereby waive Section 329.06 (Formal Competitive Bidding) and Section 329.16 (Modifications) of the Columbus City Code.

SECTION 3. 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.