



## Legislation Details (With Text)

**File #:** 1410-2010      **Version:** 2

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

**File created:** 9/24/2010      **In control:** Public Service & Transportation Committee

**On agenda:** 10/25/2010      **Final action:** 10/27/2010

**Title:** To authorize the Director of Finance and Management to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to the Ohio Revised Code; to waive the competitive bidding provisions of the Columbus City Codes, 1959, for purchases made under this cooperative purchasing program; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
10/27/2010	2	CITY CLERK	Attest	
10/26/2010	2	ACTING MAYOR	Signed	
10/25/2010	1	Columbus City Council	Taken from the Table	Pass
10/25/2010	1	Columbus City Council	Amended as submitted to the Clerk	Pass
10/25/2010	2	Columbus City Council	Approved as Amended	Pass
10/25/2010	2	COUNCIL PRESIDENT	Signed	
10/18/2010	1	Columbus City Council	Tabled to Certain Date	Pass
10/6/2010	1	Auditor Reviewer	Reviewed and Approved	
10/6/2010	1	CITY AUDITOR	Reviewed and Approved	
10/6/2010	1	Service Drafter	Sent for Approval	
10/6/2010	1	CITY ATTORNEY	Reviewed and Approved	
10/6/2010	1	Service Reviewer	Sent to Clerk's Office for Council	
10/5/2010	1	Finance - Purchasing Reviewer	Reviewed and Approved	
10/5/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
10/5/2010	1	Service Reviewer	Sent for Approval	
10/4/2010	1	Finance Reviewer	Reviewed and Approved	
10/4/2010	1	Finance Reviewer	Sent for Approval	
9/30/2010	1	Service Reviewer	Reviewed and Approved	
9/30/2010	1	SERVICE DIRECTOR	Reviewed and Approved	
9/30/2010	1	Service Drafter	Sent for Approval	
9/28/2010	1	Service Drafter	Sent for Approval	

**Amendment to Ordinance 1410-2010 - tabled 10/18**

## 1. BACKGROUND

Section 5513.01 (B) of the Ohio Revised Code authorizes the Director of the Ohio Department of Transportation to allow political subdivisions to participate in Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into. This legislation will authorize the Director of Finance and Management to participate in these contracts, subject to Council approval. This authorization will be valid for only a two year period in accordance with the limitations set by the Ohio Department of Transportation.

**Additionally, this ordinance waives the competitive bidding provisions of the Columbus City Codes for all purchases to be established from this ODOT cooperative purchasing program. On a case by case basis, purchases deemed to be in the best interests of the City and those for which the value of purchasing from an ODOT established contract contain better or terms than what we believe we can otherwise secure, we will present ordinances for the purchase of machinery, materials, supplies or other articles to City Council for authorization.**

## 2. FISCAL IMPACT

None

## 3. EMERGENCY DESIGNATION

Emergency action is requested in order to have this agreement in place for the Division of Planning and Operations use of these contracts for the purchase of Dump Truck components so that these dump trucks may be available during the 2011 winter season.

To authorize the Director of Finance and Management to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to the Ohio Revised Code; **to waive the competitive bidding provisions of the Columbus City Codes, 1959, for purchases made under this cooperative purchasing program;** and to declare an emergency.

**WHEREAS**, the Ohio Revised Code Section 5513.01 (B) provides the opportunity for Counties, Townships, Municipal Corporations, Conservancy Districts, Township Park Districts, Park Districts created under Chapter 1545 of the Revised Code, Port Authorities, Regional Transit Authorities, Regional Airport Authorities, Regional Water and Sewer Districts, County Transit Boards, State Universities or Colleges to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles, and

**WHEREAS**, the Director of Finance and Management hereby requests authority in the name of the City of Columbus to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to Ohio Revised Code Section 5513.01 (B), and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Planning and Operations in that this ordinance should proceed immediately to allow the City to participate in Ohio Department of Transportation contracts allowing for the purchase of needed equipment for the 2011 winter season, thereby preserving the public health, peace, property, safety and welfare; now, therefore; now, therefore

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

**Section 1.** That the Director of Finance and Management is hereby authorized to agree in the name of the City of Columbus to be bound by all terms and conditions as the Director of Transportation prescribes.

**Section 2.** That the Director of Finance and Management is hereby authorized to agree in the name of the City of Columbus to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the City of Columbus participates, for items it receives pursuant to the contract.

**Section 3.** That the City of Columbus agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised Code. The City of Columbus agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which the City of Columbus may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.

**Section 4.** That in authorizing any purchases pursuant to this cooperative purchasing program Columbus City Council deems it to be in the best interests of the City to waive the competitive bidding requirements to permit participation in said contracts

**and hereby waives applicable provisions of Chapter 329 of the Columbus City Codes, 1959.**

**~~Section 4.~~ Section 5.** 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.