



Legislation Details (With Text)

File #: 0636-2010 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 4/20/2010 **In control:** Administration Committee
On agenda: 5/17/2010 **Final action:** 5/20/2010

Title: To authorize the Director of the Department of Human Resources to amend the existing contract with the law firm of Baker & Hostetler LLP for the purpose of providing ongoing assistance in the implementation of the collective bargaining agreement with FOP/Capital City Lodge #9, to authorize the transfer of \$300,000.00 from the Department of Public Safety to the Department of Human Resources, to authorize the expenditure of \$300,000 or so much thereof as may be necessary to compensate the contractor for services rendered; to waive the competitive bidding requirements of the Columbus City Codes; and to declare an emergency (\$300,000.00).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Bid Waiver 2010 - Baker & Hostetler.pdf

Date	Ver.	Action By	Action	Result
5/20/2010	1	CITY CLERK	Attest	
5/19/2010	1	MAYOR	Signed	
5/17/2010	1	Columbus City Council	Approved	Pass
5/17/2010	1	COUNCIL PRESIDENT	Signed	
5/4/2010	1	Auditor Reviewer	Reviewed and Approved	
5/4/2010	1	CITY AUDITOR	Reviewed and Approved	
5/4/2010	1	HR Drafter	Sent for Approval	
5/4/2010	1	CITY ATTORNEY	Reviewed and Approved	
5/4/2010	1	HR Drafter	Sent to Clerk's Office for Council	
5/3/2010	1	EBOCO Reviewer	Reviewed and Approved	
5/3/2010	1	ODI DIRECTOR	Reviewed and Approved	
5/3/2010	1	HR Drafter	Sent for Approval	
4/30/2010	1	Finance Reviewer	Reviewed and Approved	
4/30/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
4/30/2010	1	HR Drafter	Sent for Approval	
4/29/2010	1	HR Drafter	Sent for Approval	
4/29/2010	1	Finance Reviewer	Reviewed and Approved	
4/29/2010	1	Finance Reviewer	Reviewed and Approved	
4/28/2010	1	SAFETY DIRECTOR	Reviewed and Approved	
4/26/2010	1	Safety Reviewer	Reviewed and Approved	

4/22/2010	1	HR Drafter	Sent for Approval
4/22/2010	1	HR DIRECTOR	Reviewed and Approved
4/22/2010	1	HR Drafter	Sent for Approval

The contract between the City and FOP/Capital City Lodge #9 expired December 8, 2008. Pursuant to ordinance 0207-2010, the City engaged the law firm of Baker and Hostetler to provide ongoing assistance in the negotiation and implementation of a successor collective bargaining agreement.

Although the parties reached agreement on a successor contract through the fact finding process, issues remain regarding the implementation of specific provisions of that agreement. The City anticipates the ongoing utilization of the services of Baker and Hostetler LLP for mid term bargaining, as necessary, and for other matters related to the implementation of said agreement.

This legislation authorizes a transfer within the general fund of \$300,000.00 from the Department of Public Safety to the Department of Human Resources. This transfer is necessary to fund this amendment of the contract.

This legislation will authorize the Director of Human Resources to amend the existing contract with the law firm of Baker and Hostetler, LLP and will further authorize the expenditure of \$300,000.00 or so much thereof as may be necessary to compensate the contractor for services rendered in the resolution of the contract implementation questions at issue.

The competitive bid process would exacerbate an already protracted process and would not be conducive to an expeditious resolution of the issues. Therefore, competitive bidding requirements are being waived in favor of an amendment of the existing contract.

To authorize the Director of the Department of Human Resources to amend the existing contract with the law firm of Baker & Hostetler LLP for the purpose of providing ongoing assistance in the implementation of the collective bargaining agreement with FOP/Capital City Lodge #9, to authorize the transfer of \$300,000.00 from the Department of Public Safety to the Department of Human Resources, to authorize the expenditure of \$300,000 or so much thereof as may be necessary to compensate the contractor for services rendered; to waive the competitive bidding requirements of the Columbus City Codes; and to declare an emergency (\$300,000.00).

WHEREAS, a dispute has arisen regarding the interpretation of specific provisions of the collective bargaining agreement between the City of Columbus and FOP, Capital City Lodge #9; and

WHEREAS, the dispute must be resolved through the contractual grievance arbitration and other related dispute resolution processes; and

WHEREAS, the law firm of Baker & Hostetler has contracted with the City of Columbus Department of Human Resources to provide ongoing assistance related to the negotiation and implementation of the existing collective bargaining agreement with FOP, Capital City Lodge #9; and

WHEREAS, additional monies under said contract will be required to ensure resolution of the matter in dispute; and

WHEREAS, a transfer of monies within the general fund is needed to fund the contract amendment; and

WHEREAS, it is in the mutual best interest of the City and the FOP to resolve this matter as expeditiously as possible therefore requiring the waiver of the competitive bidding provisions set forth in the Columbus City Codes; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to enter into contract with Baker & Hostetler in order to resolve the contract implementation issues in question as soon as possible thereby collective bargaining negotiations as soon as possible, 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 the Department of Human Resources is hereby authorized to amend the existing contract with Baker & Hostetler for the purpose of providing ongoing assistance in the implementation of the collective bargaining agreement with FOP/Capital City Lodge #9.

SECTION 2. That the City Auditor is hereby authorized and directed to transfer \$300,000.00 as follows:

From Department: 30 | Division: 30-01 | Fund: 10 | OCA: 300111 | OL3: 3336

To Department: 46 | Division: 46-01 | Fund: 10 | OCA: 460188 | OL3: 3336

SECTION 3. That the expenditure of \$300,000.00 or so much thereof as may be necessary is hereby authorized to be expended from the general fund as follows:

Department: 46 | Division: 46-01 | Fund: 10 | OCA: 460188 | OL3: 3336

SECTION 4. That the provisions of Chapter 329 of the Columbus City Codes are hereby waived.

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 or vetoes the same.