



## Legislation Details (With Text)

**File #:** 1453-2008      **Version:** 1

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

**File created:** 9/8/2008      **In control:** Finance & Economic Development Committee

**On agenda:** 10/6/2008      **Final action:** 10/8/2008

**Title:** To authorize and direct the Finance and Management Director to enter into a contract for the option to purchase Fairbanks Pump Parts and Service with Fairbanks Morse, Div. of Pentair Water, Inc., to authorize the appropriation and expenditure of \$1.00 to establish the contract from the Purchasing UTC Account, to waive formal competitive bidding requirements, and to declare an emergency. (\$1.00).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Waiver Form Fairbanks.pdf

Date	Ver.	Action By	Action	Result
10/8/2008	1	CITY CLERK	Attest	
10/7/2008	1	MAYOR	Signed	
10/6/2008	1	Columbus City Council	Approved	Pass
10/6/2008	1	COUNCIL PRESIDENT	Signed	
9/26/2008	1	Finance - Purchasing Drafter	Sent to Clerk's Office for Council	
9/26/2008	1	Finance Drafter	Sent to Clerk's Office for Council	
9/25/2008	1	Auditor Reviewer	Reviewed and Approved	
9/25/2008	1	CITY AUDITOR	Reviewed and Approved	
9/25/2008	1	Finance - Purchasing Drafter	Sent for Approval	
9/25/2008	1	CITY ATTORNEY	Reviewed and Approved	
9/24/2008	1	ODI DIRECTOR	Reviewed and Approved	
9/24/2008	1	Finance - Purchasing Drafter	Sent for Approval	
9/23/2008	1	Finance - Purchasing Reviewer	Reviewed and Approved	
9/23/2008	1	FINANCE DIRECTOR	Reviewed and Approved	
9/23/2008	1	Finance - Purchasing Drafter	Sent for Approval	
9/23/2008	1	EBOCO Reviewer	Sent for Approval	
9/8/2008	1	Finance - Purchasing Drafter	Sent for Approval	

**BACKGROUND:** For the option to establish a UTC contract for Fairbanks Pump Parts and Service for the Division of Sewerage and Drainage, the sole user. The term of the proposed option contract would be two (2) years, expiring September 30, 2010, with the option to renew for one (1) additional year.

The Purchasing Office originally opened formal bids on June 19, 2008. The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA002917). Twenty-five (25) bids were solicited: (M1A-0, F1-0, MBR-1).

One (1) bid was received from Fairbanks Morse, Division of Pentair Water, Inc. However, the specifications failed to accurately list the pumps that were to be serviced under this contract, and so the bid was cancelled and a new solicitation was created. The Purchasing Office then opened formal bids on August 14, 2008; bids were advertised and solicited in accordance with Section 329.06 (Solicitation SA002981). Twenty-five (25) bids were solicited: (M1A-0, F1-0, MBR-1). However, no bids were received. After contacting the current vendor and previous respondent Fairbanks Morse, it was discovered that, due to an oversight, the new bid was not submitted. Fairbanks Morse, Division of Pentair Water, Inc. is the manufacturer, and although not technically a sole source, they are traditionally the only respondent. Rather than spending additional time and money proceeding with a third formal bid, Fairbanks Morse has submitted their bid document late and the Purchasing Office feels it is in the City of Columbus' best interest to waive competitive bidding procedures and award this bid.

The Purchasing Office is recommending award to the lowest, responsible and best bidder:

Fairbanks Morse, Division of Pentair Water Inc., MAJ, CC# 41-1881858 expires 09/04/2010, \$1.00  
Total Estimated Annual Expenditure: \$70,000.00, Division of Sewerage and Drainage, the sole user

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

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing Contract Account. City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

To authorize and direct the Finance and Management Director to enter into a contract for the option to purchase Fairbanks Pump Parts and Service with Fairbanks Morse, Div. of Pentair Water, Inc., to authorize the appropriation and expenditure of \$1.00 to establish the contract from the Purchasing UTC Account, to waive formal competitive bidding requirements, and to declare an emergency. (\$1.00).

WHEREAS, the Purchasing Office advertised and solicited formal bids for a second time on August 14, 2008 and no bids were received; and

WHEREAS, due to an oversight, the equipment manufacturer and current contractor failed to submit their bid prior to the bid date but have now submitted a complete and acceptable bid; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, in order to maintain a supply of Fairbanks Pump Parts and Service, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Fairbanks Pumps Parts and Service, 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 and Management Director be and is hereby authorized and directed to enter into the following contract for the option to purchase Fairbanks Pump Parts and Service in accordance with Solicitation No. SA002981 until 9/30/10 with the option to renew for one (1) additional year, as follows:

Fairbanks Morse, Division of Pentair Water Inc., All Items, Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing UTC Account, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

SECTION 3. 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 Sections 329.06 (Formal Competitive Bidding) of the Columbus City Code.

SECTION 4. That for the reason 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.