



Legislation Details (With Text)

File #: 1561-2011 **Version:** 1
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On agenda: 10/3/2011 **Final action:** 10/5/2011
Title: To authorize and direct the Finance and Management Director to modify a contract with Pain Industries, Inc. by assigning past, present and future contracts and purchase orders to Airgas Carbonic, Inc., and to declare an emergency.

Sponsors:

Indexes:

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Attachments:

Date	Ver.	Action By	Action	Result
10/5/2011	1	CITY CLERK	Attest	
10/4/2011	1	MAYOR	Signed	
10/3/2011	1	COUNCIL PRESIDENT	Signed	
10/3/2011	1	Columbus City Council	Approved	Pass

BACKGROUND: To change the company name and Federal Identification number for contracts and purchase orders established with Pain Industries, Inc. due to an acquisition by Airgas Carbonic, Inc., with an updated FID number, and to modify FL004280 to reflect this change. This ordinance authorizes the assignment of all past, present and future business done by the City of Columbus from Pain Industries, Inc. FID 35-1178215 to Airgas Carbonic, Inc. FID 58-2298979, cc# expires 7/27/2013.

1. Amount of additional funds: No additional funds are necessary to modify the pending option contracts.
2. Reason additional needs were not foreseen: The current supplier has been acquired by a new entity.
3. Reason other procurement processes not used: The same exact product is required as originally bid. No lower pricing/more attractive terms and conditions are anticipated through rebidding at this time.
4. How cost was determined: Terms and conditions are in accordance with the original agreement.

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.

FISCAL IMPACT: No additional monies are required to modify the option contracts. Each agency must set aside their own funding for their estimated expenditures.

In order to maintain an uninterrupted supply of parts to City agencies using Universal Term Contracts and open Purchase Orders, this ordinance is being submitted as an emergency.

To authorize and direct the Finance and Management Director to modify a contract with Pain Industries, Inc. by assigning past, present and future contracts and purchase orders to Airgas Carbonic, Inc., and to declare an emergency.

WHEREAS, the Finance/Purchasing Office established contract; FL004280 for the purchase of Carbon Dioxide with Pain Industries, Inc.; and there are in existence purchase orders with Pain Industries, Inc. for the option to purchase Carbon Dioxide; and

WHEREAS, Pain Industries, Inc. has been acquired by Airgas Carbonic, Inc. and in addition to notifying the City of the

merger, T Airgas Carbonic, Inc. has agreed to honor the past, present and future purchase orders established; and **WHEREAS**, an emergency exists in the usual daily operation of the Finance/Purchasing Office in that it is immediately necessary to modify all contracts and purchase orders established with the newly created vendor, Airgas Carbonic, Inc., 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, pending contract compliance certification of the new vendor by the Equal Business Opportunity Office, be and is hereby authorized to modify all past, present and future contracts and purchase orders pursuant to those contracts to reflect the change of the company name and FID number from Pain Industries, Inc. FID 35-1178215 to Airgas Carbonic, Inc. FID 58-2298979.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

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.