



Legislation Details (With Text)

File #: 2607-2012 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/15/2012 **In control:** Rules & Reference Committee

On agenda: 11/19/2012 **Final action:** 11/21/2012

Title: To suspend application of the local bidder credit provided for in Sections 329.06, 329.07, 329.08 and 329.09 of the Columbus City Codes; and to declare an emergency.

Sponsors: Andrew Ginther

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/21/2012	1	CITY CLERK	Attest	
11/20/2012	1	ACTING MAYOR	Signed	
11/19/2012	1	COUNCIL PRESIDENT	Signed	
11/19/2012	1	Columbus City Council	Approved	Pass

This ordinance suspends the local credit in Columbus City Code Section 329 due to uncertainty regarding its proper application, resulting in litigation and delays in the award of contracts for important City projects.

To suspend application of the local bidder credit provided for in Sections 329.06, 329.07, 329.08 and 329.09 of the Columbus City Codes; and to declare an emergency.

WHEREAS, uncertainty regarding the proper application of the local bidder credit provided for in various sections of Chapter 329 of the City Codes resulted in litigation and delays in the award of contracts for important City projects; and

WHEREAS, the Department of Finance and Management has advised this Council that recent amendments to the local bidder definitions in Chapter 329 have not successfully eliminated that uncertainty; and

WHEREAS, extensive revisions to Chapter 329 of the City Codes are in the process of being drafted that may render the current local bidder credit issues moot; and

WHEREAS, this Council finds that it is in the best interest of the City to suspend application of the local bidder credit pending Council's consideration of these proposed revisions; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management because it is immediately necessary to suspend application of the local bidder credit in order to avoid uncertainty and delays in the procurement of essential City services, materials, supplies and equipment; now, therefore:

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

SECTION 1. That in determining the lowest bid for purposes of awarding any contract under Sections 329.06, 329.07, 329.08 or 329.09 of the Columbus City Codes, no credit shall be awarded to a local bidder, as defined in Section 329.04 (k), notwithstanding any provision in those sections requiring a credit to a local bidder.

SECTION 2. That any invitation for bids issued pursuant to Sections 329.06, 329.07, 329.08 or 329.09 of the Columbus City Codes after the effective date of this ordinance shall contain written notice to all potential bidders that in determining the lowest bid for that contract the local bidder credit will not be applied. Further, pursuant to Section 329.19 an addendum providing the same notice shall be issued for any such invitation for bids outstanding upon the effective date of this ordinance if, in the opinion of the director of finance and management, it is feasible to do so prior to the bid submission date. In the event the director of finance and management determines it is not feasible to issue an addendum for an outstanding invitation for bids, the local bidder credit will be applied as provided in the bid documents and applicable City Code section notwithstanding this ordinance.

SECTION 3. That the suspension of the local bidder credit provided for in this ordinance shall remain in effect until repealed by this Council.

SECTION 4. That the director of the department of finance and management shall provide written notice to all city agencies of the suspension of the local bidder credit as provided for in this ordinance.

SECTION 5. For the reasons stated in the preamble, which is made a part of this ordinance, this ordinance is 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 its passage if the Mayor neither approves nor vetoes this ordinance.