



## Legislation Details (With Text)

**File #:** 1586-2012      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 7/6/2012      **In control:** Finance Committee  
**On agenda:** 7/30/2012      **Final action:** 8/1/2012

**Title:** To authorize the Finance and Management Director to enter into a universal term contract for the option to purchase EMC Equipment and Services with Advizex Technologies; to authorize the expenditure of one (1) dollar to establish the contracts from the Mail, Print Services and UTC Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$1.00).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1586-2012waiver.pdf

| Date      | Ver. | Action By             | Action   | Result |
|-----------|------|-----------------------|----------|--------|
| 8/1/2012  | 1    | CITY CLERK            | Attest   |        |
| 7/31/2012 | 1    | MAYOR                 | Signed   |        |
| 7/30/2012 | 1    | COUNCIL PRESIDENT     | Signed   |        |
| 7/30/2012 | 1    | Columbus City Council | Approved | Pass   |

**BACKGROUND:** This ordinance is for the option to purchase EMC Equipment & Services for the Department of Technology. The contract will be used to maintain, repair and upgrade the City's SAN (storage area network) environment. The term of the proposed option contract would be approximately three (3) years, with the option to extend the contract for one (1) additional one-year period if mutually agreed upon. The Contract is through June 30, 2015. The Purchasing Office opened formal bids on May 3, 2012.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06, Solicitation SA004333. Two-hundred Sixty (260) bids were solicited (MBR: 5; F1: 7). Three (3) bids were received.

All three bids submitted were rejected because none of the bidders provided an applicable reference to the catalog/price list that would be used by the City as the list of all the available EMC products. The discounts included on the bids would also be calculated from this catalog/list. One of the bidders also offered exceptions to the City's Standard Terms and Conditions. Because they were the low bidder based on the category discounts quoted in their bid, the Purchasing Office informally reconsidered the bid from Advizex Technologies after they were able to provide the complete price list of EMC products.

The Purchasing Office is recommending award of the contract to the lowest and best bidder:

Advizex Technologies, CC#371504931 (Expires July 5, 2012); All Items, \$1.00

Total Estimated Annual Expenditure: \$150,000.00

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action important repair services to the City's SAN network could be delayed, thereby causing potential harm to City services.

**FISCAL IMPACT:** Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. The City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

To authorize the Finance and Management Director to enter into a universal term contract for the option to purchase EMC Equipment and Services with Advizex Technologies; to authorize the expenditure of one (1) dollar to establish the contracts from the Mail, Print Services and UTC Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$1.00).

**WHEREAS**, the Purchasing Office advertised and solicited formal bids on May 3, 2012 and selected the lowest, responsive, responsible and best bids; and

**WHEREAS**, all the bids were deemed non-responsive and the City conducted negotiations after considering the bids on an informal basis, 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**, the EMC Equipment and Services UTC will be used by the Department of Technology to maintain, repair and upgrade the City's SAN (Storage Area Network) environment, this is being submitted for consideration as an emergency measure; and

**WHEREAS**, an emergency exists in the usual daily operation of the City in that it is immediately necessary to enter into one (1) contract for an option to purchase the EMC Equipment and Services to ensure the uninterrupted supply of repair to the SAN environment, 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 is hereby authorized to enter into the following contract for the option to purchase EMC Equipment and Services for the term ending June 30, 2015, with the option to extend the contracts for one (1) additional one-year period if mutually agreed upon, in accordance with Solicitation No. SA004333 as follows:

Advizex Technologies; All items, Amount: \$1.00

**SECTION 2.** That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, 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 Section 329.06 (Formal Competitive Bidding) of the Columbus City Codes.

**SECTION 4.** That for the reason stated in the preamble here to, 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.