



## Legislation Details (With Text)

**File #:** 3074-2015      **Version:** 1

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

**File created:** 11/27/2015      **In control:** Public Utilities Committee

**On agenda:** 12/14/2015      **Final action:** 12/16/2015

**Title:** To authorize the Finance and Management Director to enter into contracts with ERMCO, Power Line Supply Company, Gridstor Energy Corporation and Professional Electric Product Company (PEPCO) for the purchase of Transformers for the Division of Power; to waive the competitive bidding provisions of City Code; to authorize the expenditure of \$1,152,864.00 from the Electricity Operating Fund; and to declare an emergency. (\$1,152,864.00)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD3074-2015Recommendation, 2. ORD3074-2015 bid tabulation, 3. ORD3074-2015 Information, 4. ORD3074-2015 Waiver Form

Date	Ver.	Action By	Action	Result
12/16/2015	1	CITY CLERK	Attest	
12/15/2015	1	MAYOR	Signed	
12/14/2015	1	COUNCIL PRESIDENT	Approved	
12/14/2015	1	COUNCIL PRESIDENT	Signed	
12/14/2015	1	Columbus City Council	Approved	Pass

**BACKGROUND:** This legislation authorizes the Director of Finance and Management to purchase Transformers for Electrical Distribution System for the Division of Power to replenish stock for maintenance of the existing infrastructure and new customer service. The various types of transformers on this contract are used in the distribution network to step down voltages.

The Purchasing Office advertised and solicited competitive bids (SA006095) for the purchase of Transformers for the Electrical Distribution System for the Division of Power in accordance with relevant provision of Section 329 of the Columbus City Code. Eighty-four (84) vendors were solicited: eighty (80) MAJ; two (2) MBR; one (1) AS1 and one (1) M1A. Five (5) MAJ bids were received and opened on November 12, 2015.

The Division of Power recommends awards to be made to the lowest responsive and responsible and best bidders as follows:

Professional Electric Product Company (PEPCO), the lowest responsive and responsible and best bidder for Items 1, 6-8, 10, 12 and 17 for an award amount of \$147,685.00.

Ermco, the lowest responsive and responsible and best bidder for Items 5 for an award amount of \$18,687.00.

Power Line Supply Company, the lowest responsive and responsible and best bidder for Items 2-4, 9, 11, 13-16, 18 for an award amount of \$338,741.00.

It should be noted that there are no responsive bidders for the remaining twelve items (Items 19-30) in the bid document. Each of the bids received for the items in question were reviewed and found to meet or exceed all technical requirements;

however these items have been determined to be non-responsive for non-technical related issues. The Division of Power has requested that the Purchasing Office contact the relevant bidders to resolve these issues; therefore the Department of Public Utilities is requesting that the competitive bidding provisions of the Columbus City Code be waived to award each item to the respective low bidder.

The Division of Power recommends awards to be made to the following lowest bidders:

Power Line Supply Company, the lowest bidder for Items 19-23, 26-30 for an award amount of \$580,160.00. The City of Columbus has agreed to place the order for the Howard units by noon on January 31, 2016.

Gridstor Energy Corporation, the lowest bidder for Items 24 and 25 for an award amount of \$67,591.00. They have agreed to delete conflicting terms and conditions that were included with the bid document with the condition that the items are awarded and ordered on one purchase order and shipped at the same time.

The companies are 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. Emergency legislation will expedite delivery of this critical equipment for the Division of Power.

**Suppliers and Contract Compliance Numbers:**

ERMCO #61-0701489 Exp 11/02/17

Power Line Supply Company #38-1783949 Exp 5/12/16

Professional Electric Product Company (PEPCO) #34-1018087 Exp. 11/24/16

Gridstor Energy Corporation #98-1273770 Exp 11/30/17

**FISCAL IMPACT:** There is sufficient budget authority for the purchase of Transformers for the Electrical Distribution System in the 2015 Electricity Operating Fund budget.

The Division of Power spent \$779,869.00 in 2014.

The Division of Power spent \$527,068.00 in 2013.

To authorize the Finance and Management Director to enter into contracts with ERMCO, Power Line Supply Company, Gridstor Energy Corporation and Professional Electric Product Company (PEPCO) for the purchase of Transformers for the Division of Power; to waive the competitive bidding provisions of City Code; to authorize the expenditure of \$1,152,864.00 from the Electricity Operating Fund; and to declare an emergency. (\$1,152,864.00)

**WHEREAS**, the Department of Public Utilities, Division of Power, has a need to purchase Transformers for the Electrical Distribution System to replenish stock for maintenance of the existing infrastructure and new customer service; and

**WHEREAS**, the Purchasing Office received and opened formal bids on November 12, 2015 but it is necessary to waive the competitive bidding provisions of Chapter 329 of City Code; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to authorize the Finance and Management Director to enter into contracts with ERMCO, Power Line Supply Company, Gridstor Energy Corporation and Professional Electric Product Company (PEPCO) for Transformers for the Electrical Distribution System for the public health, safety and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Finance and Management Director, on behalf of the Department of Public Utilities, Division of Power, be and is hereby authorized to enter into contracts to purchase Transformers for the Electrical Distribution System with: ERMCO, 2225 Industrial Road, Dyersburg, TN 38024, for a total award amount of \$18,687.00; Power Line Supply, 1403 Neubrecht Road, Lima, OH 45801, for a total award amount of \$338,741.00; and Professional Electric Product Company (PEPCO), 2225 McKinley Avenue, Columbus, OH 43140, for a total award amount of \$147,685.00.

**SECTION 2.** That Council finds it in the City's best interest to waive the competitive bidding provisions of City Code Chapter 329 to award each item to the respective low bidder because there are no responsive bidders for the remaining twelve items (Items 19-30) in the bid document. Each of the bids received for the items in question were reviewed and found to meet or exceed all technical requirements; however these items have been determined to be non-responsive for non-technical related issues. The Division of Power has requested that the Purchasing Office contact the relevant bidders to resolve these issues.

**SECTION 3.** The Division of Power also recommends awards be made to: Power Line Supply Company, 1403 Neubrecht Road, Lima, OH 45801 the lowest bidder for Items 19-23, 26-30 for an award amount of \$580,160.00. Gridstor Energy Corporation, PO Box 21112 RPO Macdonald Drive, St. John's, NL A1A5B2 the lowest bidder for Items 24 and 25 for an award amount of \$67,591.00.

**SECTION 4.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 5.** That to pay the cost of the aforesaid purchase, the expenditure of \$1,152,864.00 is hereby authorized from the Electricity Operating Fund 550, Division Number 60-07:

OCA 606749  
Object Level Three Code 6621  
\$486,426.00

OCA 606723  
Object Level Three Code 6621  
\$666,438.00

**SECTION 6.** That for the reasons stated in the preamble hereto, where is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, which 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.