



## Legislation Details (With Text)

**File #:** 2042-2023      **Version:** 1

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

**File created:** 6/29/2023      **In control:** Public Utilities Committee

**On agenda:** 7/24/2023      **Final action:** 7/26/2023

**Title:** To authorize the Director of Public Utilities to enter into a contract with 160 Driving Academy to provide Commercial Driver's License (CDL) training to certain Department of Public Utilities employees; to authorize the expenditure of \$137,800.00 split among the Electricity, Water, and Sanitary Sewer Operating Funds; to waive the competitive bidding provisions of City Code; and to declare an emergency. (\$137,800.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 2042-2023 CDL Training - Bid Waiver Form, 2. ORD 2042-2023 160 Driving Academy - CDL Training Email Quote, 3. ORD 2042-2023 Financial Coding - CDL Training, 4. ORD 2042-2023 160 Driving Academy - Manifestly Impractical to Bid Approval

Date	Ver.	Action By	Action	Result
7/26/2023	1	CITY CLERK	Attest	
7/25/2023	1	ACTING MAYOR	Signed	
7/24/2023	1	COUNCIL PRESIDENT	Signed	
7/24/2023	1	Columbus City Council	Approved	Pass

This ordinance authorizes the Director of Public Utilities to enter into a contract with 160 Driving Academy to provide Commercial Driver's License (CDL) training to certain Department of Public Utilities employees.

Some DPU employees need a CDL to operate departmental trucks and vehicles in order to perform their duties. This ordinance will provide funding for a class of 26 DPU employees: 14 from the Division of Sewerage and Drainage (DOSD), nine from the Division of Water (DOW), and three from the Division of Power (DOP).

The Department previously bid out these training services. There were numerous issues with the awarded company and the contract was terminated. The training company was not familiar with the pre-trip testing in Ohio so they trained our employees incorrectly for two days. Additionally, the company also was not familiar with the Ohio-specific requirements of CDL training, which are more stringent than the Federal Motor Carrier Safety Administration (FMCSA) guidelines. As a result, seven of our employees would not have been able to take their CDL test at the completion of the training because they did not have 10 hours on the road.

In addition to the aforementioned issues, six of our employees have probationary periods that end in July/August and are required to obtain their CDL by the end of their probationary period. The Department has been granted a grace period because we did not have a CDL training in place. Due to these timing and quality issues, it is in the best interest of the City to waive the provisions of competitive bidding and award the contract for CDL training services to 160 Driving Academy.

**SUPPLIER:**

160 Driving Academy | D365 Vendor # n/a | EIN n/a | | The vendor is in the process of registering in our system.

The Contractor 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:**

\$137,800.00 is available for the training program.

\$0.00 was spent in 2022

\$0.00 was spent in 2021

**EMERGENCY DESIGNATION:**

This ordinance is being submitted as an emergency as six of our employees have probationary periods that end in July/August and are required to obtain their CDL by the end of their probationary period. A previously awarded contract was in place that would have allowed the employees to satisfy these requirements, however, non-performance by the vendor resulted in termination of the contract. This puts the affected employees at risk of not receiving their CDL by the required date. The Department has been granted a grace period in the meantime.

To authorize the Director of Public Utilities to enter into a contract with 160 Driving Academy to provide Commercial Driver's License (CDL) training to certain Department of Public Utilities employees; to authorize the expenditure of \$137,800.00 split among the Electricity, Water, and Sanitary Sewer Operating Funds; to waive the competitive bidding provisions of City Code; and to declare an emergency. (\$137,800.00)

**WHEREAS**, various Department of Public Utilities (DPU) employees need to receive a Commercial Driver's License (CDL) in order to perform their duties; and

**WHEREAS**, DPU put out for bid and awarded a contract for a vendor to provide the requisite training; and

**WHEREAS**, the contract with the awarded vendor was terminated due to non-performance, including a lack of knowledge about pre-trip testing in Ohio that resulted in two days of incorrect training and lack of knowledge of Ohio's guidelines compared to federal guidelines; and

**WHEREAS**, six DPU employees have probationary periods that end in July/August and are required to obtain their CDL by the end of their probationary period; and

**WHEREAS**, The Department has been granted a temporary grace period for those employees; and

**WHEREAS**, due to the timing constraints and non-performance of the previously awarded vendor, it is in the City's best interest to waive the competitive bidding provisions of Chapter 329 of City Code; and

**WHEREAS**, the City desires to have 26 employees participate in the training program; and

**WHEREAS**, the expenditure of \$137,800.00 or so much thereof as may be needed, is hereby authorized from object class 03, Services, split among the Electricity, Water, and Sanitary Sewer Operating Funds, per the accounting codes attached to the ordinance; 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 Director of Public Utilities to enter into a contract with 160 Driving Academy to provide Commercial Driver's License training without delay as six employees have probationary periods that end in July/August and are required to obtain their CDL by the end of the probationary period, all for the immediate preservation of the public health, peace, property and safety; and **NOW THEREFORE,**

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

**SECTION 1.** That the Director of Public Utilities is hereby authorized to enter into a contract with 160 Driving Academy, 4668 Cemetery Road, Hilliard, OH 43026, for Commercial Driver's License training.

**SECTION 2.** That this Council finds it in the best interest of the City to waive the competitive bidding provisions of Chapter 329 of City Code for the contract with 160 Driving Academy.

**SECTION 3.** That the expenditure of \$137,800.00 or so much thereof as may be needed, is hereby authorized from object class 03, Services, split among the Electricity, Water, and Sanitary Sewer Operating Funds, per the accounting codes attached to the ordinance.

**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 the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 6.** 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, or ten days after passage if the Mayor neither approves nor vetoes the same.