



Legislation Details (With Text)

File #: 0247-2016 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 1/21/2016 **In control:** Environment Committee
On agenda: 3/14/2016 **Final action:** 3/17/2016

Title: To authorize the expenditure of \$17,252,000.00 or so much thereof as may be necessary from the Special Income Tax Fund; to authorize the Director of Public Service to establish an encumbrance of \$17,230,000.000 to pay refuse tipping fees to the Solid Waste Authority of Central Ohio (SWACO) for the Division of Refuse Collection pursuant to an existing lease agreement; to waive the competitive bidding requirements of the City Code Chapter 329; to establish encumbrances up to \$22,000.00 for tire disposal and construction/demolition (C&D) material disposal; and to declare an emergency. (\$17,252,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. SWACO Bid Waiver 2016 Ordinance, 2. 2016 SWACO Ordinance Form

Date	Ver.	Action By	Action	Result
3/17/2016	1	CITY CLERK	Attest	
3/16/2016	1	MAYOR	Signed	
3/14/2016	1	COUNCIL PRESIDENT	Signed	
3/14/2016	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This legislation authorizes the Director of Public Service to establish an encumbrance within the Special Income Tax Fund to pay 2016 waste disposal tipping fees for the Division of Refuse Collection, and to expend funds to pay the tipping fees. This expense is necessary to safely and contractually dispose of the waste collected by the division in the course of pursuing its mission by providing residential refuse collection services to over 327,000 households weekly and picking up bulk items and illegally dumped items as needed.

The Department of Public Service has determined that \$17,252,000.00 should be adequate for this purpose. This number is based upon an estimated waste stream of 304,000 tons in 2015. Actual tonnage is ultimately dependent on variables such as the weather, the actual number of households collected that cannot be specifically calculated at this time, and the unknown amount of bulk and illegally dumped items. If necessary, additional legislation will be submitted to increase funds at a later date.

Previous calendar years' actual tipping fee expenditures totaled \$12,943,226.58 (2007), \$12,901,357.53 (2008), \$13,049,098.46 (2009), \$13,312,244.86 (2010), \$14,522,167.56 (2011), \$16,543,036.71 (2012), \$15,873,121.00 (2013), \$16,752,000.00 (2014), and \$17,419,889.00 (2015). SWACO tipping fee rates are determined by SWACO's established rate setting process. The waste disposal fees for tire disposal services and construction/demolition material disposal services will be determined through the city's competitive bidding process.

2. BID WAIVER

Formal competitive bidding requirements must be waived for SWACO because waste disposal services, other than those provided by SWACO, are available in the marketplace; however the city is bound by contract to tip household waste at SWACO facilities.

3. FISCAL IMPACT

This 2016 expense is budgeted within the Special Income Tax Fund and was a part of Ordinance 2889-2015 passed by Council on 2/8/16.

4. EMERGENCY DESIGNATION

Ordinance 2889-2015 authorizing the use of Special Income Tax Fund money for waste disposal tipping purposes and had to be approved by council before this encumbrance could be established. Per the contract with SWACO, the city is subject to late fees for all invoices not paid within the due date. Emergency action is requested to avoid delays of payment to SWACO that could result in the city incurring interest penalties as specified within the contract.

To authorize the expenditure of \$17,252,000.00 or so much thereof as may be necessary from the Special Income Tax Fund; to authorize the Director of Public Service to establish an encumbrance of \$17,230,000.000 to pay refuse tipping fees to the Solid Waste Authority of Central Ohio (SWACO) for the Division of Refuse Collection pursuant to an existing lease agreement; to waive the competitive bidding requirements of the City Code Chapter 329; to establish encumbrances up to \$22,000.00 for tire disposal and construction/demolition (C&D) material disposal; and to declare an emergency. (\$17,252,000.00)

WHEREAS, the Division of Refuse Collection must encumber funds to continue refuse tipping at the Solid Waste Authority of Central Ohio (SWACO) facilities, pursuant to the lease agreement between the City and SWACO for those facilities, and must encumber funds for disposal of tires and construction/demolition material disposal; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Refuse Collection, Department of Public Service, in that it is immediately necessary to establish an encumbering document with the Solid Waste Authority of Central Ohio for 2016 refuse disposal services, to avoid incurring interest penalties due to late payments, 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 Director of Public Service be and hereby is authorized to establish an encumbrance of \$17,230,000.00 with SWACO for 2016 refuse tipping services for the Division of Refuse Collection at the various rate charges assigned to each tipping location and any legal subsequently adjusted rates, and to establish encumbrances of \$22,000.00 for disposal of tires and for disposal of construction/demolition material.

SECTION 2. That the expenditure of \$17,252,000.00, or so much thereof as may be needed, is hereby authorized in Fund 4430 Special Income Tax Fund in object class 03 Purchased Services per the accounting codes in the attachment to this ordinance.

SECTION 3. That in accordance with the relevant provisions of City Code Chapter 329, City Council has determined that it is in the best interest of the City to waive the formal competitive bidding requirements with respect to the encumbrance to be established with SWACO. All other contracts will be awarded in accordance with applicable provisions of Chapter 329.

SECTION 4. That the City Auditor be and hereby is authorized to make any/all other accounting changes for the transactions discussed within this ordinance that are construed by the City Auditor to be reasonably consistent with the intent of this ordinance.

SECTION 5. 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 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.