



Legislation Details (With Text)

File #: 3362-2023 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/17/2023 **In control:** Public Utilities Committee

On agenda: 12/11/2023 **Final action:** 12/14/2023

Title: To authorize the Finance and Management Director to enter into a contract with OW Investors LLC dba MARS Company for the upgrade, maintenance, and support of an existing MARS meter test bench system on behalf of the Division of Water; to waive the competitive bidding provisions of Columbus City Code; to authorize the expenditure of \$154,940.00 from the Water Operating Fund; and to declare an emergency. (\$154,940.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 3362-2023 Scope of Work, 2. 3362-2023 Vendor Letter for Bid Waiver, 3. 3362-2023 Bid Waiver Form, 4. 3362-2023 Financial Coding, 5. 3362-2023 W9

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------------|----------|--------|
| 12/14/2023 | 1 | ACTING CITY CLERK | Attest | |
| 12/13/2023 | 1 | MAYOR | Signed | |
| 12/11/2023 | 1 | COUNCIL PRESIDENT | Signed | |
| 12/11/2023 | 1 | Columbus City Council | Approved | Pass |

BACKGROUND: This legislation authorizes the Director of Finance and Management to enter into a contract with OW Investors LLC dba MARS Company for the upgrade, maintenance, and support of an existing MARS meter test bench system in the amount of \$154,940.00 for the Division of Water. These test benches are to facilitate the certification of water meters used for billing purposes by the City's water distribution system.

BID INFORMATION: The Division of Water requests to waive the competitive bidding provisions of the Columbus City Code because no other company provides these services for the MARS product. The metering test bench system is used to determine the accuracy of new and used water meters that are used by the Department of Public Utilities.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

EMERGENCY DESIGNATION: Emergency legislation is requested due to the critical nature of this contract and the need to establish a purchase order before year end.

CONTRACT COMPLIANCE: vendor #026512, expires 11/30/2025

FISCAL IMPACT: \$154,940.00 is budgeted and needed for this purchase.

\$0 was spent in 2022

\$0 was spent in 2021

To authorize the Finance and Management Director to enter into a contract with OW Investors LLC dba MARS Company for the upgrade, maintenance, and support of an existing MARS meter test bench system on behalf of the Division of Water; to waive the competitive bidding provisions of Columbus City Code; to authorize the expenditure of \$154,940.00 from the Water Operating Fund; and to declare an emergency. (\$154,940.00)

WHEREAS, the Division of Water has an urgent need to upgrade its existing MARS test bench system and to receive maintenance and support services for that system; and

WHEREAS, funds are available in the Water Operating Fund for this purchase; and

WHEREAS, it is in the best interest of the City to waive competitive bidding for this purchase because no other company provides the needed services for the MARS test bench product; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Water, in that it is immediately necessary to authorize the Director of Finance and Management to enter into a contract with OW Investors LLC dba MARS Company for a Meter Test Bench Upgrade due to the critical nature of this contract and the need to establish a purchase order before the end of the year, all for the immediate preservation of the public health, peace, property, safety and welfare; and **Now, Therefore**

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

SECTION 1. That the Finance and Management Director be and is hereby authorized to enter into contract with OW Investors LLC dba MARS Company for the upgrade, maintenance, and support of an existing MARS test bench system on behalf of the Division of Water.

SECTION 2. That the expenditure of \$154,940.00 or so much thereof as may be needed, be and the same is hereby authorized in the Water Operating Fund in object class 03 Services per the accounting codes in the attachment of this ordinance.

SECTION 3. That this Council finds it in the best interest of the City to waive the competitive bidding provisions of the Columbus City Codes to permit the aforementioned purchase contract.

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 account codes as necessary.

SECTION 5. That for reasons state 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.