



Legislation Text

File #: 0622-2011, Version: 1

BACKGROUND: This legislation authorizes the Finance and Management Director to establish a UTC contract to purchase Eight (8) Cubic Yard Front Loader Refuse Containers for the Division of Refuse, the largest user. The term of the proposed option contract would be two (2) years from the date of execution, with the option to renew for one (1) additional year. The Purchasing Office opened formal bids on March 24, 2011.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003872). Thirty-one (31) bids were solicited (M1A-1, F1-1, MBR-0). Two (2) bids were received. This solicitation requested Bidders to provide a Manufacturer's warranty period of a minimum of five (5) full years at no additional charge. Neither of the two (2) bids received accepted the five (5) year warranty requirement. Both Vendors offered only a one (1) year warranty instead.

The Purchasing Office originally solicited formal bids for an option contract to purchase eight (8) cubic yard front loader refuse containers in November 2010 (SA003758). No bids were received. For this reason, the Department of Public Service would like to waive the five (5) year warranty requirement and accept a different warranty period of one (1) year; otherwise, earlier bidding processes upon which this contract will be established are wasted. As stated, this legislation waives the competitive bidding requirements of Chapter 329 of the City Code, and allows for acceptance of a one (1) year manufacturer's warranty period. The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidder:

Farmer's Refuse & Trucking Inc., MAJ, CC#31-1293640-001, expires 11/16/12
Estimated Annual Expenditure: \$21,500.00

The company 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.

This ordinance is being submitted as an emergency as it is immediately necessary for the Department of Public Service to purchase eight (8) cubic yard front loader refuse containers due to the delay incurred with bidding out this solicitation twice, and because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing Contract Account. 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 contract for the option to purchase Eight (8) Cubic Yard Front Loader Refuse Containers with Farmer's Refuse & Trucking Inc.; to accept a manufacturer's warranty period of one (1) year; to authorize the expenditure of \$1.00 to establish the contract from the Mail, Print Services and UTC Account; to waive the competitive bidding requirements of the City Code; and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office originally solicited formal bids for an option contract to purchase eight (8) cubic yard front loader refuse containers in November 2010 (SA003758), and there were no bids were received; and

WHEREAS, the Purchasing Office advertised and solicited competitive bids a second time in accordance with Section 329.06 (Solicitation No. SA003872). Two (2) bids were received but neither of the two (2) bids received accepted the five (5) year warranty requirement, and offered only a one (1) year warranty instead; and

WHEREAS, this legislation waives the competitive bidding requirements of Chapter 329 the City Code, and allows for acceptance of a one (1) year manufacturer's warranty period. The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidder, and

WHEREAS, this ordinance addresses the Purchasing objectives 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, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Eight (8) Cubic Yard Front Loader Refuse Containers, thereby preserving the public health, peace, property, safety, and welfare. In order to maintain a supply of Eight (8) Cubic Yard Front Loader Refuse Containers, this is being submitted for consideration as an emergency measure; 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 the following contract for the option to purchase Eight (8) Cubic Yard Front Loader Refuse Containers in accordance with Solicitation No. SA003872 as follows:

Farmer's Refuse & Trucking Inc., Items #1, 4 & 7, \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Account, 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 the Columbus City Codes, City Council has determined it is in the best interest of the City of Columbus that the bidding requirements of Chapter 329 be and hereby are waived for the action authorized in SECTION 1.

SECTION 4. That for the reason 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.