



## Legislation Text

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**File #: 1937-2008, Version: 1**

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### 1. BACKGROUND

This legislation authorizes the Director of Finance and Management to enter into contract for the purchase of 18 Automated Side Loading (ASL) Trucks for the Division of Refuse Collection, Department of Public Service.

Automated side loading collection vehicles are the backbone of the Division of Refuse Collection's mechanized collection system. This order will replace aging, high maintenance vehicles that have exceeded their planned life cycle. Formal competitive bids were solicited and opened by the Purchasing Office on June 12, 2008, (solicitation SA002906). Bids were received from the following (vendor / unit cost):

#### Cab and Chassis Bids

ESEC Corporation dba Columbus Peterbilt/ \$120,006.00

#### Body Bids

McNeilus Truck and Manufacturing \$84,700.00

Bell Equipment Company (Wayne Curbtender) \$104,700.00

Bell Equipment Company (Heil DuraPack) \$129,300.00

Division of Refuse Collection operation personnel are recommending the purchase of the Peterbilt cab and chassis from ESEC Corporation, dba Columbus Peterbilt, and the Wayne Curbtender body from Bell Equipment Company, as the lowest, best, responsive, and responsible bids.

The Division of Refuse Collection rejected the body bid proposal from McNeilus due to the determination that their equipment did not meet or exceed the "zero-radius" equipment performance specifications that are needed to service the tight clearance configurations that exist in our alley's and older neighborhoods.

The complete refuse collection truck consists of the cab, chassis, and body. The Refuse Collection Division is recommending that the Department of Finance and Management enter into a contract with Columbus Peterbilt to purchase eighteen (18) Peterbilt cab and chassis, each costing \$120,006.00, with six (6) of the eighteen (18) having Webasto heating/cooling units, each unit costing \$3,090. As well, the Department of Finance and Management will enter into a contract with Bell Equipment Company to purchase eighteen (18) Wayne Curbtender bodies, costing \$104,700.00 each. The total cost of a complete truck without the heating/cooling unit is \$224,706.00 and the total cost of a complete truck with the heating/cooling unit is \$227,796.00.

### 2. CONTRACT COMPLIANCE

ESEC Corporation dba Columbus Peterbilt (majority), contract compliance 34-1285858, expires September 9, 2010

Bell Equipment Company (majority), contract compliance 38-1941706, expires November 5, 2010

### 3. FISCAL IMPACT

The Division of Refuse Collection budgeted \$5,175,000.00 in the 2008 Capital Improvements Budget for refuse collection vehicles and containers. This ordinance authorizes an expenditure of \$4,063,248.00 for all eighteen (18) automated side loading trucks.

All funds from the 2007 Bond Sale have been either expended or encumbered. This expense can be accommodated within the Refuse G.O. Bonds Fund, mechanized collection project, by appropriating and transferring \$4,063,248.00 within the Special Income Tax Fund. This funding method is a temporary measure and this amount will be restored to the Special Income Tax Fund subsequent to the next note/bond sale for refuse collection equipment.

### 4. EMERGENCY DESIGNATION

Emergency action is requested in order to expedite the receipt of these new trucks, which have a long delivery lead-time.

To authorize the Director of Finance and Management to enter into contract with ESEC Corporation, and Bell Equipment Company, for the purchase of truck cabs, chassis and bodies, which collectively constitute eighteen (18) automated side loader refuse collection trucks for the Division of Refuse Collection; to appropriate and authorize the City Auditor to transfer \$4,063,248.00 from the Special Income Tax Fund to the Refuse G.O. Bonds Fund; to appropriate and authorize the expenditure of \$4,063,248.00 from the Refuse G.O. Bonds Fund; and to declare an emergency. (\$4,063,248.00)

WHEREAS, the Purchasing Office solicited formal competitive bids to acquire automated side loading refuse collection trucks on behalf of the Division of Refuse Collection; and

WHEREAS, bids received for solicitation #SA002906 were opened on June 12, 2008; and

WHEREAS, the Division of Refuse Collection is recommending awards to the lowest responsive, responsible and best bids; and

WHEREAS, the purchase of these vehicles constitutes part of this division's scheduled vehicle replacement program and is a budgeted expense within the division's 2008 Capital Improvement Budget; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund the amount transferred; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project").

WHEREAS, the aggregate principal amount which the city will issue to finance this project is presently expected not to exceed \$4,063,248.00; 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 enter into contract for the purchase of these vehicles to assure their timely delivery, 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 Finance and Management be and hereby is authorized and directed to enter into contract for the purchase of eighteen (18) automated side loading refuse collection trucks for the Refuse Collection Division as follows:

Vendor / Item / Amount

ESEC Corporation dba Columbus Peterbilt / truck cabs and chassis / \$2,178,648.00.00

Bell Equipment Company / refuse collection truck bodies / \$1,884,600.00

**Section 2.** That from the unappropriated monies in the Special Income Tax Fund, Fund 430, and from the monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2008, the sum of \$4,063,248.00 be and hereby is appropriated to the City Auditor, Department No. 22-01, Object Level One Code 10, Object Level Three Code 5502 and OCA Code 902023.

**Section 3.** That the City Auditor is hereby authorized to transfer said funds to the Refuse G.O. Bonds Fund, 703, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

**Section 4.** That \$4,063,248.00 is hereby appropriated within Fund 703, the Refuse G.O. Bonds Fund, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6652, OCA Code 644419 and Project 520001 to purchase automated side loading Refuse Collection Vehicles for the Refuse Collection Division.

**Section 5.** That the monies appropriated in the foregoing Section 5 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**Section 6.** That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 3 above and said funds are hereby deemed appropriated for such purpose.

**Section 7.** That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract(s) or contract modification(s) associated with the expenditure of the funds transferred under Section 2 above.

**Section 8.** That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$4,063,248.00. (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

**Section 9.** That the expenditure of \$4,063,248.00, or so much thereof as may be needed, be and hereby is authorized from the Refuse G.O. Bonds Fund, Fund 703, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6652, OCA Code 644419, Project 520001 to pay the cost thereof.

**Section 10.** 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.