



## Legislation Text

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**File #: 0322-2010, Version: 1**

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### **1. BACKGROUND**

The Department of Public Service, Division of Planning and Operations, is responsible for snow and ice control and removal on the City's roadway system. Rock salt is used extensively in this operation. It is necessary for the Division of Planning and Operations to have the ability to purchase rock salt for the 2010 - 2011 winter season.

The Ohio Department of Transportation (ODOT) is in the process of establishing its annual cooperative purchasing contract, Contract Number 018-11, which allows participating government agencies to purchase rock salt from a selected vendor. The vendor for this contract will be determined by ODOT.

ODOT will bid the cooperative purchasing contract as a cooperative contract for use by other governmental agencies, in accordance with Chapter 5513.01 (B) of the Ohio Revised Code.

The purpose of this legislation is to authorize the Director of the Department of Finance and Management to enter into a contract with ODOT to participate in the cooperative purchasing contract and enter into a contract with ODOT's selected vendor (to be determined at a later date) for the purchase of rock salt, per the guidelines of the cooperative purchasing contract.

This legislation also authorizes the Director of the Department of Finance and Management to establish blanket purchase orders with ODOT's selected vendor for the Division of Planning and Operations.

The funding on this ordinance is for expenses that will occur during the winter months of 2010-2011.

### **2. WAIVER OF COMPETITIVE BIDDING**

The purpose of the cooperative purchasing contract is to utilize the buying power of several agencies to obtain the best price available for a necessary commodity. The Department of Public Service is requesting this City Council to waive the applicable competitive bidding requirement of the city code in order to facilitate this procurement of rock salt.

### **3. FISCAL IMPACT**

\$1,500,000.00 is required and is budgeted in the Division of Planning and Operations 2010 Municipal Motor Vehicle License Tax Fund.

### **4. EMERGENCY ACTION:**

The Department of Public Service is requesting this ordinance be considered an emergency measure, in order to ensure that it meets ODOT's cooperative purchasing deadline of March 26, 2010.

To authorize the Director of the Department of Finance and Management to enter into a contract with the Ohio Department of Transportation (ODOT) and a yet to be named vendor, for the purchase of rock salt, based on the terms of a cooperative purchase contract to be established by ODOT; to authorize the Director of Finance and Management to establish blanket purchase orders for rock salt; to authorize the expenditure of \$1,500,000.00 from the Municipal Motor Vehicle License Tax Fund; to waive competitive bidding provisions of section 329.06 of the Columbus City Code; and to declare an emergency. (\$1,500,000.00)

**WHEREAS**, the Division of Planning and Operations is responsible for snow and ice control and removal on the City's roadway system; and

**WHEREAS**, rock salt is used in this operation; and

**WHEREAS**, a Cooperative Purchasing Contract will be established by the Ohio Department of Transportation (ODOT), namely Contract Number 018-11, for use by the state's public entities, for the option to purchase rock salt for the 2010-2011 winter season; and

**WHEREAS**, it is necessary to waive section 329.06 of the competitive bidding provisions of the Columbus City Code; and

**WHEREAS**, it is necessary to authorize the Director of Finance and Management to enter into a contract with ODOT, to participate in the cooperative purchasing contract for the purchase of rock salt; and

**WHEREAS**, it is necessary to authorize the Director of Finance and Management to enter into a contract with ODOT's selected vendor, once said vendor is determined, for the purchase of rock salt; and

**WHEREAS**, it is necessary to authorize the Director of Finance and Management to establish purchase orders for the purchase of rock salt; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, in that it is immediately necessary to authorize the Director of Finance and Management to enter into a contract with ODOT and with ODOT's selected vendor (to be determined), and to authorize the Director of Finance and Management to establish purchase orders for the purchase of rock salt, consistent with the terms and conditions of the ODOT cooperative purchase contract, in order to assure an uninterrupted supply of this critical commodity, 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 is hereby authorized to enter into a contract with the Ohio Department of Transportation (ODOT), to participate in a cooperative purchase contract for the purchase of rock salt.

**Section 2.** That the Director of Finance and Management is hereby authorized to enter into a contract with the selected vendor for the above described cooperative purchase contract, and that the Director of Finance and Management is authorized to establish blanket purchase orders for the procurement of rock salt, per terms of the ODOT cooperative purchase contract.

**Section 3.** That the expenditure of \$1,500,000.00, or so much thereof as may be needed, be and hereby is authorized from Fund 266, the Municipal Motor Vehicle License Tax Fund; Division of Planning and Operations, Department-Division No. 59-11, for the purchase of rock salt as follows:

Fund / O.L 01-03 Codes / OCA  
266 / 02-2192 / 591128 / \$1,500,000.00

**Section 4.** That City Council has determined that it is in the best interest of the City of Columbus that the formal competitive bidding requirements of Section 329.06 of the City Code be and are hereby waived for procurement of rock salt for this contract.

**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.