



## Legislation Text

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**File #:** 1289-2024, **Version:** 1

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### BACKGROUND

This legislation authorizes the Director of the Department of Development to waive the competitive bidding requirements of Columbus City Codes Chapter 329 and enter into a service contract with E&L Cemetery Services LLC in an amount up to \$90,581.00, to provide restoration and relocation services for the Linden War Memorial.

The Linden War Memorial, a significant historical landmark, stands proudly on a small greenspace owned by the City of Columbus at 2652 Cleveland Avenue. This memorial, bounded by Cleveland Avenue to the West, Westerville Road to the East, and a gas station to the north, is a tribute to the brave veterans of World War 1, World War 2, the Korean War, and the Vietnam War. It serves as a constant reminder of their courage and sacrifice, instilling a sense of respect and pride in the residents of Columbus.

The current location has also led to the memorial being damaged in recent years. In 2019, the westernmost portion was struck by a vehicle, which resulted in cracked stone and fallen plaques. Columbus Recreation and Parks contracted with E&L Cemetery Services LLC to repair the damage. In 2021, another car struck the western portion of the memorial with more force, destroying the entire western half. E&L Cemetery Services LLC was once again consulted by Columbus Recreation and Parks to collect the damaged pieces and provided an estimate to Recreation and Parks to move and install the monument to Linden Park. Since 2021, E&L Cemetery Services LLC dba Columbus Memorials has stored the damaged pieces at its location under no contract nor direction from the City of Columbus.

As part of the Department of Development's ongoing Art, Monuments, and Memorials maintenance, the Department of Development, Division of Planning took over as lead for the project in mid-2023. The intent of the Department of Development, Division of Planning is to work with Recreation and Parks to complete the project and move the monument to a more secure and publicly accessible location at Linden Park.

**Bid Waiver Justification:** While other vendors provide these services, E&L Cemetery Services LLC has prior and thorough familiarity with the Linden War Memorial and has had possession of the damaged pieces needed to restore the memorial for over two (2) years without accumulating storage fees. Entering into a contract with E&L Cemetery Services LLC will quickly execute the restoration process and relocation of the entire unit to Linden Park within an effective timeline. Thus, it is in the best interest of the City to waive the provisions of competitive bidding and enter into a contract with E&L Cemetery Services LLC for these services.

**Emergency Designation:** Emergency action is requested due to the immediate need in beginning the restoration and repairs of the memorial, pouring and creation of the concrete foundation, and relocation of the memorial to the Linden Park.

**Fiscal Impact:** Funds are available within the Department of Development's Planning Division 2024 General Fund budget.

**Contract Compliance:** the vendor number is 029418 and expires 01/31/2026

To authorize the Director of the Department of Development to enter into a service contract with E&L Cemetery Services LLC, in an amount up to \$90,581.00, to provide restoration and relocation services; to waive the competitive bidding requirements of Columbus City Codes; to authorize an expenditure of \$90,581.00 from the Development General Fund;

and to declare an emergency (\$90,581.00).

**WHEREAS**, The Linden War Memorial was struck by a vehicle in 2021, which resulted severe damage to the western half of the memorial; and,

**WHEREAS**, The Linden War Memorial needs to be restored and relocated to Linden Park; and,

**WHEREAS**, it has been determined that it is in the best interests of the City to waive the competitive bidding requirement to ensure that E&L Cemetery Services LLC begin the restoration and relocation of the Linden War Memorial; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the Director to enter into a contract with E&L Cemetery Services LLC so it can immediately complete restoration and relocation of the Linden War Memorial that will be installed at the Linden Park, 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 Director of the Department of Development is hereby authorized to enter into a service contract with E&L Cemetery Services LLC in an amount up to \$90,581.00, to provide restoration and relocation services for the Linden War Memorial.

**SECTION 2.** That for the purpose as stated in Section 1, the expenditure of \$90,581.00, or so much thereof as may be necessary, is hereby authorized in fund 1000 (General Fund), in Object Class 03 (Services) per the accounting codes in the attachment to this ordinance.

**SECTION 3:** That this Council finds it is in the best interests of the City to waive the competitive bidding provisions of Chapter 329 of Columbus City Codes to enter into this contract and such are hereby waived.

**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 accounting codes as necessary.

**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 approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.