



## Legislation Text

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**File #:** 0695-2015, **Version:** 1

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### **1. BACKGROUND**

The Department of Public Service and the Department of Public Utilities are responsible for snow and ice control and removal on the city's roadway system. In removing snow and ice, the departments use rock salt extensively in these operations. It is necessary for the Department of Public Service and the Department of Public Utilities to have the ability to purchase rock salt for the 2015 - 2016 winter season.

The Ohio Department of Transportation (ODOT) is in the process of establishing its annual cooperative purchasing contract, Contract No. 18, which allows participating government agencies to purchase rock salt from a selected vendor. ODOT will determine the vendor for this contract. 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 Department of Public Service and the Department of Public Utilities. The funding authorized by this ordinance is for expenses that will occur during the winter months of 2015-2016.

### **2. FISCAL IMPACT**

\$2,000,000.00 is budgeted and available in the Department of Public Service Municipal Motor Vehicle License Tax Fund. \$119,000.00 is budgeted in the Sewerage System, Water Systems and Electricity Systems Operating Funds.

### **3. EMERGENCY DESIGNATION**

The department requests emergency designation due to the unusually short period of time the Ohio Department of Transportation is allowing for municipalities to submit agreements and legislation authorizing participation.

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 \$2,000,000.00 from the Municipal Motor Vehicle License Tax Fund, \$45,000.00 from the Sewerage Systems Operating Fund, \$70,000.00 from the Water Systems Operating Fund; \$4,000.00 from the Electricity Systems Operating Fund and to declare an emergency. (\$2,119,000.00)

**WHEREAS**, the Department of Public Service and the Department of Public Utilities are 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 18, for use by the state's public entities, for the option to purchase rock salt for the 2015-2016 winter season; 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;

**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 participate in the cooperative purchasing contract for rock salt due to the unusually short period of time the Ohio Department of Transportation allows for municipalities to submit agreements and legislation authorizing participation; **NOW, THEREFORE,**

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

**SECTION 1.** That the Director of Finance and Management is authorized in the name of the City of Columbus to participate in the Ohio Department of Transportation cooperative purchasing contracts for the purchase of machinery, material, supplies, or other articles which the Department has entered into pursuant to Ohio Revised Code Section 5513.01 (B).

**SECTION 2.** That the Director of Finance and Management is hereby authorized to agree in the name of the City of Columbus to be bound by all terms and conditions as the Director of the Ohio Department of Transportation prescribes.

**SECTION 3.** That the Director of Finance and Management is hereby authorized to agree in the name of the City of Columbus to directly pay vendors, under each such cooperative purchasing contract of the Ohio Department of Transportation in which the City of Columbus participates, for items it receives pursuant to the contract.

**SECTION 4.** That the City of Columbus agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01 (B) of the Ohio Revised Code. The City of Columbus agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program with the City of Columbus may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.

**SECTION 5.** That the expenditure of \$2,119,000.00, or so much thereof as may be needed, be and hereby is authorized to be expended as follows:

Fund / O.L 01-03 Codes / OCA  
266 / 02-2192 / 591126 / \$2,000,000.00  
650 / 02-2192 / 605063 / \$20,000.00  
650 / 02-2192 / 605030 / \$20,000.00  
650 / 02-2192 / 605899 / \$5,000.00  
600 / 02-2192 / 602730 / \$70,000.00  
550 / 02-2192 / 606723 / \$4,000.00

**SECTION 6.** 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 7.** 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 8.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

**SECTION 9.** 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.