



## Legislation Details (With Text)

**File #:** 2655-2013      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/6/2013      **In control:** Finance Committee

**On agenda:** 12/2/2013      **Final action:** 12/5/2013

**Title:** To authorize the Finance and Management Director, on behalf of Fleet Management Division, to issue purchase orders with various vendors to purchase fuel per the terms and conditions of various established contracts; to authorize the expenditure of \$3,000,000.00 from the Fleet Management Fund; to waive the competitive bidding provisions of the Columbus City Codes, 1959; and to declare an emergency. (\$3,000,000.00)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Beems Bid Waiver

Date	Ver.	Action By	Action	Result
12/5/2013	1	CITY CLERK	Attest	
12/4/2013	1	MAYOR	Signed	
12/2/2013	1	COUNCIL PRESIDENT	Signed	
12/2/2013	1	Columbus City Council	Approved	Pass

### Background:

This legislation authorizes the Finance and Management Director to issue purchase orders for ultra low sulfur diesel, bio-diesel, ethanol and unleaded fuel (including fuel purchased through MPC Investments LLC: Speedway LLC, SuperFleet) for the Fleet Management Division. Formal competitive bids for diesel/bio-diesel were received by the Purchasing Office and a Universal Term contract is in place with Central Ohio Farmers Co-Op, as authorized by Ordinance 1197-2009. A Universal Term Contract, authorized by Ordinance 2280-2012, exists for fuel credit card purchases with MPC Investments LLC (Speedway LLC, SuperFleet). A purchase order with Beem's BP Distribution for unleaded bulk fuel deliveries was authorized by Ordinance 2078-2011. The Beem's BP Distribution contract was established through the formal competitive bid process of Franklin County for bulk unleaded fuel purchases.

Ordinance 2078-2011 also waived the competitive bidding process of the Columbus City Codes, in order to allow the continued use of the Beem's BP Distribution contract. As noted, the Beem's BP Distribution contract was established through the formal competitive bid processes of Franklin County and currently provides a lower deliver price per gallon than could be obtained through the State of Ohio fuel contract. The City does not have a formal cooperative purchasing agreement with Franklin County, as it does with the State of Ohio Department of Administrative Services. Accordingly, the competitive bidding provisions of the City Codes must again be waived in order to participate in this Franklin County fuel contract.

These companies are not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract to the Auditor of State unresolved findings for recovery certified search.

MPC Investments LLC Contract Compliance Number: 27-1287018, expires 05/21/14

Central Ohio Farmers Co-Op Contract Compliance Number: 31-1717226, expires 11/06/15

Beem's BP Distribution Contract Compliance Number: 34-1906729, expires 01/03/14

**Fiscal Impact:** This legislation authorizes an expenditure of \$3,000,000.00 with various vendors to purchase fuel for City vehicles. Funding is available within the Fleet Management Division 2013 Operating Budget.

**Emergency action:** is requested to ensure an uninterrupted supply of fuel for City equipment. This fuel is used by all City vehicles, including Police, Fire and Refuse Collection vehicles.

To authorize the Finance and Management Director, on behalf of Fleet Management Division, to issue purchase orders with various vendors to purchase fuel per the terms and conditions of various established contracts; to authorize the expenditure of \$3,000,000.00 from the Fleet Management Fund; to waive the competitive bidding provisions of the Columbus City Codes, 1959; and to declare an emergency. (\$3,000,000.00)

**WHEREAS**, the Finance and Management Department, Fleet Management Division, has a need to purchase fuel for use by various City departments including: Police, Fire and Refuse Collection; and

**WHEREAS**, the Finance and Management Department, Fleet Management Division, has a need to purchase diesel/bio-diesel bulk fuel, ethanol, and unleaded bulk fuel and universal credit card purchases for use by various City department vehicles; and

**WHEREAS**, a Universal Term contract (UTC) has been established through the formal competitive bid process for bulk diesel/bio-diesel fuel and universal credit card purchases; and

**WHEREAS**, a contract has been established through the formal competitive bidding processes of Franklin County for bulk unleaded fuel purchases with Beem's BP Distribution Inc.; and

**WHEREAS**, the Fleet Management Division has a need to purchase unleaded bulk fuel and it is in the City's best interests to waive the competitive bidding requirements of the Columbus City Codes; and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Fleet Management Division in that it is immediately necessary to issue a purchase orders for fuel to ensure uninterrupted supply and service for City vehicles, including Police, Fire, and Refuse Collection Division vehicles, 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 Finance and Management Director is hereby authorized to issue purchase orders with Central Ohio Farmers Co-op for Ultra Low Sulfur Diesel and Bio-Diesel fuel.

**Section 2.** That the expenditure of \$1,500,000.00 or so much thereof that may be necessary in regard to the action authorized in Section 1, be and is hereby authorized and approved as follows:

Division: 45-05

Fund: 513

OCA Code: 451347

Object Level One: 02

Object Level Three: 2286

Amount: \$1,500,000.00

**Section 3.** That the Finance and Management Director is hereby authorized to issue purchase orders for ethanol and unleaded fuel for the Fleet Management Division per the terms and conditions of a Franklin County Commissioners contract as follows:

Beem's BP Distribution Inc  
CC# 341906729 expires 01/03/2014  
Unleaded gasoline  
Object Level three: 2280  
Contract expires 01/03/2014

**Section 4.** That the Finance and Management Director is hereby authorized to issue purchase orders with MPC Investments LLC (Speedway LLC, SuperFleet) for Universal fuel credit card services.

**Section 5.** That the expenditure of \$1,500,000.00 or so much thereof that may be necessary in regard to the actions authorized in Sections 3 and 4, be and is hereby authorized and approved as follows:

Division: 45-05  
Fund: 513  
OCA Code: 451347  
Object Level One: 02  
Object Level Three: 2280  
Amount: \$1,500,000.00

**Section 6.** That the monies in the foregoing Sections shall be paid upon order of the Director of Finance and Management, 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 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 in accordance with the Columbus City Codes, City Council determines that it is in the best interest of the City of Columbus that the competitive bidding requirements be and are hereby waived for the action authorized in Section 3 of this ordinance.

**Section 9.** That for 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, nor ten days after passage, if the Mayor neither approves nor vetoes the same.