



## Legislation Details (With Text)

**File #:** 2792-2014      **Version:** 1

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

**File created:** 11/18/2014      **In control:** Public Service & Transportation Committee

**On agenda:** 12/8/2014      **Final action:** 12/10/2014

**Title:** To authorize the Finance and Management Director to enter into two contracts for the option to purchase Single and Tandem Axle Compressed Natural Gas (CNG) Dump Trucks with and without Snow Removal Equipment with Fyda Freightliner Columbus, Inc. and The American Road Machinery Company; to authorize the expenditure of \$2.00 to establish these contracts from the General Fund; to waive the competitive bidding provisions of City Code; and to declare an emergency. (\$2.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2792-2014 Waiver Form

Date	Ver.	Action By	Action	Result
12/10/2014	1	CITY CLERK	Attest	
12/9/2014	1	MAYOR	Signed	
12/8/2014	1	COUNCIL PRESIDENT	Signed	
12/8/2014	1	Columbus City Council	Approved	Pass

**BACKGROUND:** This legislation is for the option to establish two universal term contracts (UTCs) for Single and Tandem Axle Compressed Natural Gas (CNG) Dump Trucks with and without Snow Removal Equipment for the Department of Public Service and all city agencies. The term of the proposed option contract would be three (3) years, expiring December 31, 2017. This contract will expedite the delivery of dump trucks, by establishing a Universal Term Contract for use by City agencies. In the past, dump trucks, including those with snow removal equipment, were bid in each instance. These led to long delays in some instances, imperiling the City's snow removal operations.

A formal request for proposal (RFP) was solicited for the purchase of four (4) vehicles types:

- Single Axle CNG Dump Trucks with Snow Removal Equipment
- Single Axle CNG Dump Trucks without Snow Removal Equipment
- Tandem Axle CNG Dump Trucks with Snow Removal Equipment
- Tandem Axle CNG Dump Trucks without Snow Removal Equipment

Proposals were evaluated by a seven (7) member committee, based upon various criteria including experience, quality of proposal, competence, and price, resulting in an award recommendation to for two (2) truck types to Fyda Freightliner Columbus, Inc. and two (2) truck types to The American Road Machinery Company.

**BID INFORMATION:** Solicitation SA005479 was advertised and proposals were opened on July 17, 2014. Ninety-seven (97) proposals were solicited (MAJ: 94, MBR: 3). Four (4) responses were received (MAJ: 3, MBR: 1).

An evaluation committee consisting of two representatives from the Department of Public Service, two from the Department of Public Utilities, two from the Division of Fleet Management and one from the Department of Finance and Management scored and ranked written proposals submitted by the offerors. Three finalists were invited to make oral presentations and then submitted pricing. After evaluating all offers and viewing three presentations, in compliance with

Columbus City Code 329.14(g), the committee submitted final rankings.

Fyda Freightliner Columbus, Inc. received the highest score, with 122.14 points of 130 points possible. The American Road Machinery Company received the second highest score, with 120.86 points. The cost proposal from Fyda Freightliner offered the best pricing on the vehicles with snow removal equipment. The cost proposal from American Road Machinery offered the best pricing on the vehicles without snow removal equipment. Because the final scores between Fyda and American Road Machinery were so close and the Committee was satisfied with both companies, the committee recommended awarding two vehicle types to each company, based on the lowest vehicle cost to the City.

In accordance with the Committee recommendations, the Purchasing Office recommends the award of two contracts as follows:

The contract for the option to purchase Single and Tandem Axle CNG Dump Trucks with Snow Removal Equipment to Fyda Freightliner Columbus, Inc.

The contract for the option to purchase Single and Tandem Axle CNG Dump Trucks without Snow Removal Equipment to The American Road Machinery Company.

In addition, the Committee would like the option for a single one time purchase of one (1) Single and one (1) Tandem Axle or two (2) Single Axle CNG Dump Trucks with Snow Removal Equipment from The American Road Machinery Company in order to conduct a test of their equipment. These vehicles would be purchased through a future bid waiver ordinance, during the term of the contract based on agency funding.

Competitive bidding is being waived for this purchase, as the Request for Proposal provision within the City Code exists to award professional service contracts, not commodity contracts.

**Contract Compliance:**

Fyda Freightliner Columbus, Inc.	CC#310789102	exp. 7/15/2016
The American Road Machinery Company	CC# 464283819	exp. 11/19/2016

Estimated Annual Expenditure: \$800,000

**Emergency Designation:** This legislation is to be considered an emergency measure because without emergency action no less than thirty-seven days will be added to the procurement cycle and the efficient delivery of valuable public services will be slowed. The user agencies would like to be able to place orders as quickly as possible, in order to ensure delivery for the 2015-2016 snow season.

These companies are not debarred according to the Excluded Parties listing of the Federal Government and are not listed in the Auditor of States database for Findings for Recovery.

**FISCAL IMPACT:** Funding to establish these option contracts is budgeted in the General Fund. City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

To authorize the Finance and Management Director to enter into two contracts for the option to purchase Single and Tandem Axle Compressed Natural Gas (CNG) Dump Trucks with and without Snow Removal Equipment with Fyda Freightliner Columbus, Inc. and The American Road Machinery Company; to authorize the expenditure of \$2.00 to establish these contracts from the General Fund; to waive the competitive bidding provisions of City Code; and to declare an emergency. (\$2.00)

**WHEREAS**, the Department of Public Service, the Department of Public Utilities and other agencies have ongoing needs to purchase Single and Tandem Axle Compressed Natural Gas (CNG) Dump Trucks with and without Snow Removal Equipment; and

**WHEREAS**, a formal request for proposal (RFP) for a multi-year Universal Term Contract (UTC) was solicited and evaluated by a multi-departmental committee via Solicitation SA005479 resulting in the recommendation of two awards to Fyda Freightliner Columbus, Inc. and The American Road Machinery Company; and

**WHEREAS**, a waiver of competitive bidding is necessary for this purchase in order to evaluate per the RFP process for materials and supplies; and

**WHEREAS**, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

**WHEREAS**, in order to maintain a supply of Single and Tandem Axle CNG Dump Trucks with and without Snow Removal Equipment, this is being submitted for consideration as an emergency measure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Finance, Purchasing Office, in that it is immediately necessary to enter into contracts for the option to purchase Single and Tandem Axle CNG Dump Trucks with and without Snow Removal Equipment, 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 enter into the following contracts for the option to purchase Single and Tandem Axle CNG Dump Trucks with and without Snow Removal Equipment in accordance with Solicitation No. SA005479 until December 31, 2017, as follows:

Fyda Freightliner Columbus, Inc., Single Axle CNG Dump Trucks with Snow Removal Equipment and Tandem Axle CNG Dump Trucks with Snow Removal Equipment (two items), \$1.00.

The American Road Machinery Company, Single Axle CNG Dump Trucks without Snow Removal Equipment and Tandem Axle CNG Dump Trucks without Snow Removal Equipment (two items), \$1.00.

**SECTION 2.** This Council finds it is in the best interest of the City of Columbus to waive the competitive bidding provisions of Chapter 329 of the Columbus City Codes to permit the aforementioned purchase.

**SECTION 3.** That the expenditure of \$2.00 is hereby authorized from General Fund, Organization Level 1: 45-01, Fund: 10, OCA: 450047, Object Level 3: 2270 to pay the cost thereof.

**SECTION 4.** 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.