



## Legislation Details (With Text)

**File #:** 1880-2017      **Version:** 1

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

**File created:** 7/6/2017      **In control:** Technology Committee

**On agenda:** 7/24/2017      **Final action:** 7/26/2017

**Title:** To authorize and direct the City Auditor to appropriate and transfer \$192,369.08 from the Special Income Tax Fund to the Department of Technology Information Services General Obligation Debt Fund; to authorize the Director of the Department of Technology to enter into a contract with Gudenkauf Corporation for the installation of fiber optic cable and related services; to authorize the expenditure of \$192,369.08 from the Department of Technology, Information Services Division, Information Services General Obligation Debt Fund; and to declare an emergency. (\$192,369.08.)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Gudenkauf Bid Response Fiber 470046-100000.pdf, 2. 1880-2017 EXP, 3. Ord. 1880-2017 bid summary.pdf

Date	Ver.	Action By	Action	Result
7/26/2017	1	CITY CLERK	Attest	
7/25/2017	1	ACTING MAYOR	Signed	
7/24/2017	1	COUNCIL PRESIDENT	Signed	
7/24/2017	1	Columbus City Council	Approved	Pass

This legislation authorizes the Director of the Department of Technology (DoT) to enter into a contract with Gudenkauf Corporation for the installation of fiber optic cabling at the Lumpkin Pride Center, 1410 Cleveland Ave. This installation will provide a diverse fiber optic network connection from our fiber network into the Lumpkin Pride Center and redundant fiber access in support of the 311 Call Center and Neighborhoods relocation staff.

The Department of Technology (DoT) exercised due diligence by completing the competitive bid process in compliance with Columbus City Code Chapter 329. Formal bid solicitation 470046-100000 was prepared and posted on the City's solicitation web site; while the bid was posted, the Department held a pre-bid walk-through which provided the contractors an opportunity to examine the fiber route. On Friday, June 9<sup>th</sup> at 5:00 p.m., the Department of Technology received and opened three (3) bids associated with Bid Express solicitation number 470046-100000. Results were as follows:

**470046-100000: DOT/Network/Lumpkin Pride Center Fiber Bid:**

- |  |              |
|--|--------------|
| 1. Gudenkauf Corp.:                    | \$192,369.08 |
| 2. The Fishel Company:                 | \$269,030.24 |
| 3. Harris and Havener Excavations Inc: | \$341,616.00 |

Gudenkauf Corp was the lowest, responsive, responsible bidder and is awarded this bid. This company is not debarred according to the Excluded Parties listing of the Federal Government and is not listed in the Auditor of States database for Findings for Recovery.

Additionally, this ordinance authorizes the appropriation and subsequent transfer of \$192,369.08 from the Special Income Tax Fund to the Department of Technology, Information Services General Obligation Debt Fund to provide adequate cash

and capital authority to allow for the above described contract. Finally, the expenditure of \$192,369.08 is authorized by this ordinance.

**FISCAL IMPACT**

Funds for the above described project were budgeted in DoT's Information Services General Obligation Debt Fund. However, pending the upcoming bond sale and deposit of resultant funds from said sale, a cash transfer (certification) from the Special Income Tax (SIT) fund is needed. Once bond funds are deposited into DoT's bond fund, the SIT fund will be reimbursed accordingly.

**EMERGENCY**

Emergency legislation is required to facilitate prompt contract execution and related payment for services.

**CONTRACT COMPLIANCE**

Vendor Name: Gudenkauf Corporation (DAX Vendor Acct. No. #: 004454); C.C. #: 31-0908234; Expiration Date: 06/10/18

To authorize and direct the City Auditor to appropriate and transfer \$192,369.08 from the Special Income Tax Fund to the Department of Technology Information Services General Obligation Debt Fund; to authorize the Director of the Department of Technology to enter into a contract with Gudenkauf Corporation for the installation of fiber optic cable and related services; to authorize the expenditure of \$192,369.08 from the Department of Technology, Information Services Division, Information Services General Obligation Debt Fund; and to declare an emergency. (\$192,369.08.)

**WHEREAS**, the Department of Technology (DoT) exercised due diligence by completing the competitive bid process in compliance with Columbus City Codes, Chapter 329; and

**WHEREAS**, after reviewing the bids received from solicitation 470046-100000, it is recommended that the award be made to Gudenkauf Corporation for the one location identified in solicitation 470046-100000, in the amount of \$192,369.08, as they were the overall lowest, responsive and responsible bidder per specification for this solicitation; and

**WHEREAS**, this legislation authorizes the Director of the Department of Technology to enter into a contract with Gudenkauf Corporation for the installation of fiber optic cabling at the Lumpkin Pride Center, 1410 Cleveland Ave.; and

**WHEREAS**, it is necessary to authorize the appropriation and subsequent transfer of \$192,369.08 from the Special Income Tax Fund to the Department of Technology's Information Services General Obligation Debt Fund; and

**WHEREAS**, this transfer should be considered as a temporary funding method; and

**WHEREAS**, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

**WHEREAS**, the aggregated principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$192,369.08; and

**WHEREAS**, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended), with respect to the project described in this ordinance (the "Project");

**WHEREAS**, an emergency exists in the usual and daily operation of the Department of Technology in that it is immediate necessary to authorize the Director of Technology to enter into a contract with Gudenkauf Corporation for the installation of fiber optic cabling to be built, 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 the Department of Technology is hereby authorized to enter into a contract with Gudenkauf Corporation for the installation of fiber optic cabling at the Lumpkin Pride Center and that the total amount to be expended via this ordinance is \$192,369.08

**SECTION 2.** That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2017, the sum of \$192,369.08 is appropriated in the Special Income Tax Fund, Fund 4430-443001, Object Class 10 per the account codes noted in the attachment to this ordinance.

**See attached file: 1880-2017 EXP**

**SECTION 3.** That the transfer of \$192,369.08 is hereby authorized between the Special Income Tax Fund, Fund 4430 and the Department of Technology, Information Services Division, Information Services General Obligation Debt Fund, Fund 5115, per the account codes in the attachment to this ordinance.

**See attached file: 1880-2017 EXP**

**SECTION 4.** That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2017, the sum of \$192,369.08 is appropriated in the Department of Technology, Information Services Division, Information Services General Obligation Debt Fund, Fund 5115, Object Class 06, per the account codes noted in the attachment to this ordinance.

**See attached file: 1880-2017 EXP**

**SECTION 5.** That upon obtaining funds from the 2017 Bond Sale for this project, for the Director of the Department of Technology, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3.

**SECTION 6.** That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$192,369.08 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

**SECTION 7.** That the expenditure of \$192,369.08 is hereby authorized to be expended from the Information Services General Obligation Debt Fund, Fund 5115, per the account codes in the attachment to this ordinance.

**See attached file: 1880-2017 EXP**

**SECTION 8.** That the monies in the foregoing Sections shall be paid upon order of the Director of the Department of Technology 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 9.** 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 10.** 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 11.** 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 12.** 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.