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Legislation Details (With Text)

File #:	1901-2025 **Version:** 1		
Type:	Ordinance	**Status:**	Passed
File created:	6/30/2025	**In control:**	Public Safety & Criminal Justice Committee
On agenda:	7/21/2025	**Final action:**	7/23/2025
Title:	To authorize and direct the City Auditor to transfer $2,589,077.00 within various projects of the Safety Voted Bond Fund; to waive the competitive bidding provisions of the Columbus City Code; to authorize the Director of Public Safety to enter into contracts with and issue purchase orders to Atlantic Emergency Solutions for the purchase of One (1) Pierce Enforcer 107' Ascendant Tiller and related equipment, which would allow for cancellation and/or liquidated damages in the event of delayed delivery, such as those delays resulting from labor disputes; to authorize the expenditure of $2,589,077.00 from the Safety Voted Bond Fund; and to declare an emergency. ($2,589,077.00)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. 1901-2025 Atlantic Emergency Solutions SOS Details, 2. 1901-2025 AES proposal revised language 2025 tiller Columbus, 3. 1901-2025 Tiller travel - Columbus Fire 7-8-25, 4. 1901-2025 Financial Coding - Updated.pdf, 5. 1901-2025 Bid Waiver Form.pdf		

Date	Ver.	Action By	Action	Result
7/23/2025	1	CITY CLERK	Attest	
7/22/2025	1	MAYOR	Signed	
7/21/2025	1	COUNCIL PRESIDENT	Signed	
7/21/2025	1	Columbus City Council	Approved	Pass

BACKGROUND:
This legislation authorizes the Director of Public Safety to issue purchase orders to Atlantic Emergency Solutions, Inc., for the purchase of Fire and EMS emergency response apparatus/vehicles and related equipment.

The purpose of this ordinance is also to require Atlantic Emergency Solutions to contractually bind itself to its commitment to deliver without delay. Moreover, should delay in delivery occur, then the City will avail itself of all available legal remedies. Therefore, City Council will require that any contract with Atlantic Emergency Solutions include both a liquidated damages clause and the option for cancellation based on a failure to meet the delivery date, which is a material, fundamental and crucial term of the contract due to the significant apparatus needs of the City. For example, the contract could specify that "the delivery date for this vehicle shall be (xx) months from date of contract; that any delivery delays occasioned by strikes, labor disputes, and/or quality changes due to the use of replacement workers will constitute a material breach"; and that if a delivery delay occurs, the city will have the option of either cancelling the contract or receiving a credit in purchase price as liquidated damages for each and every day of late delivery.

Emergency Designation:
Current build times for the fire apparatus purchased in this ordinance require emergency action to ensure funds are encumbered immediately to allow for the production of these custom apparatus to commence upon passage of this ordinance and confirmation of the subsequent purchase orders.

Bid Waiver:

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Due to reasons referenced below and on the attached form, the Division of Fire requests a waiver of the competitive bidding provisions of the Columbus City Code. Apparatus from Atlantic Emergency Solutions, Inc. have been part of the Fire Division's standardized equipment for several years, as both the Divisions of Fire and Fleet Management believe these products are the best for their operations given the quality, durability and customizability each manufacturer offers, as well as the cost-effective approach that has resulted from negotiating directly with each manufacturer during the build process. The subsequent contracts established by Fleet Management with each manufacturer have also simplified the managing of parts/service after purchase. The Division of Fire requested quotes from three vendors for this apparatus purchase. Atlantic Emergency Solutions was the most responsive bidder.

Contractor:
Atlantic Emergency Solutions ~ Vendor # 034448 ~ expires 12/21/2025

FISCAL IMPACT: Cash is available upon transfer from various projects within the Safety Voted Bond Fund for this purchase. A travel allocation in the amount of $33,000.00 is included in the quoted price. **This ordinance is contingent upon the passage of Ordinance 1900-2025.**

To authorize and direct the City Auditor to transfer $2,589,077.00 within various projects of the Safety Voted Bond Fund; to waive the competitive bidding provisions of the Columbus City Code; to authorize the Director of Public Safety to enter into contracts with and issue purchase orders to Atlantic Emergency Solutions for the purchase of One (1) Pierce Enforcer 107' Ascendant Tiller and related equipment, which would allow for cancellation and/or liquidated damages in the event of delayed delivery, such as those delays resulting from labor disputes; to authorize the expenditure of $2,589,077.00 from the Safety Voted Bond Fund; and to declare an emergency. ($2,589,077.00)

WHEREAS, a need exists within the Fire Division to purchase front line response rescue and fire apparatus and related equipment; and

WHEREAS, a transfer of funds within the Safety Voted Bond Fund is necessary to fund this purchase; and

WHEREAS, it is necessary to authorize an expenditure of funds from the Safety Voted Bond Fund; and

WHEREAS, it is necessary to authorize the Director of Public Safety to issue purchase orders to Atlantic Emergency Solutions for the purchase of a platform ladder and related equipment needed by the Division of Fire; and

WHEREAS, a waiver to the competitive bidding provisions of the Columbus City Codes is necessary as per the attachment to this ordinance; and

WHEREAS, this ordinance is contingent upon the passage of Ordinance 1900-2025; and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus, Department of Public Safety in that it is immediately necessary to pass this ordinance due to the need to make funds available for the fire apparatus to be purchased, as it takes approximately 14 months to complete the building of the ascendant tiller, 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. To authorize and direct the Director of Public Safety to enter into contracts with and issue purchase orders to Atlantic Emergency Solutions for the purchase of a platform ladder and related equipment and to include both a stipulated damages clause and a cancellation opt-out clause for late delivery in the contract, including delivery delays occasioned by strikes and/or labor disputes.

SECTION 2. That the City Auditor is hereby authorized and directed to transfer said funds within the Safety Voted Bond

Fund per the account codes in the attachment to this ordinance at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

SECTION 3. That the transfer of cash and appropriation in the amount of $2,589,077.00 is hereby authorized between projects within the Safety Voted Bond Fund, per the account codes in the attachment to this ordinance.

SECTION 4. That the expenditure of $2,589,077.00, or so much thereof as may be needed, is authorized in Fund 7701 (Safety Bond Fund), Dept-Div 3004 (Division of Fire), Project P340151-100000 (Fire Apparatus Replacement - Platform Ladders) in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 5. That the City Auditor is authorized to establish proper accounting project numbers, and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 3 above.

SECTION 6. 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 7. That all 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 8. That this Council finds it is in the best interest of the City of Columbus to waive the competitive bidding provisions of the Columbus City Code, Chapter 329, relating to the aforementioned purchases from Atlantic Emergency Solutions for the Division of Fire.

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 10 days after its passage if the Mayor neither approves nor vetoes the same.

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