



Legislation Text

File #: 2808-2013, Version: 1

On December 5, 2012, Columbus City Council passed Ordinance 2813-2012, to modernize Chapter 329 of the Columbus City Codes, 1959, which governs responsible public procurement of goods and services, including construction services. Prior to Ordinance 2813-2012, the last major updates of the City's construction contracting code were passed in 1996 and 2002.

This Ordinance incorporates the results of the Local Business Working Group process established by Section 5 of Ordinance 2813-2012. Council and Administration staff convened numerous internal and external stakeholder meetings before and after submission of staff recommendations to Columbus City Council and the Mayor on April 18, 2013. Extensive stakeholder feedback was also received outside the meetings. Per Ordinance 2813-2012, staff have considered that feedback in crafting final staff recommendations based on the Local Business Working Group process.

This Ordinance also makes additional corrections to Ordinance 2813-2012. This Ordinance amends Sections 1, 2 and 4 of Ordinance 2813-2012 by establishing a new effective date for the new code, responsibility prequalification, and repeal of prior existing Chapter 329, to allow sufficient time for the City to prepare processes, materials, staffing, and training for the new responsible contracting code. This Ordinance amends Section 3 of Ordinance 2813-2012 to bring the date for responsibility prequalification in line with the new effective date. This Ordinance amends Sections 5 and 6 to reflect the completion of those requirements. Finally, this Ordinance approves the responsibility prequalification scoring matrix, as required by new Chapter 329.

Emergency action is requested to amend Ordinance 2813-2012 prior to its date of implementation, January 1, 2014, to provide the Department of Finance and Management with sufficient time to implement the provisions of this ordinance.

To make various amendments to Ordinance 2813-2012 to modernize City procurement of goods and services through the enactment of new Chapter 329 of the Columbus City Codes; to repeal prior existing Ordinance 2813-2012; to approve the scoring matrix for responsibility prequalification; to repeal existing Chapter 329 of the Columbus City Codes; and to declare an emergency. **(REPEALED BY ORD. 1785-2014 PASSED 7/28/2014)**

WHEREAS, Chapter 329 of the Columbus City Codes, 1959, governs the responsible public procurement of goods and services for the City of Columbus; and

WHEREAS, It is the shared goal of this Council and the Mayor's Administration to modernize Chapter 329 as it relates to construction contracts; and

WHEREAS, Ordinance 2813-2012 enacted best construction bidding practices that streamline the bidding process in a uniform, objective and transparent manner; and

WHEREAS, This Council and the Mayor's Administration find it necessary to amend Ordinance 2813-2012, based, in part, on the results of the Local Business Working Group Process;

WHEREAS, Full implementation of this code modernization on January 1, 2015, will provide the Mayor's Administration with the necessary time to prepare processes, materials, staffing, and training for the new responsible contracting code; and

WHEREAS, An emergency exists in the usual daily operation of the Department of Finance and Management, in that it is immediately necessary to amend Ordinance 2813-2012 prior to the previous implementation date of said ordinance, 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 Sections 1 through 6 of Ordinance 2813-2012, passed on December 5, 2012, be and hereby are amended to read as follows:

SECTION 1. That the attached document (~~see “Ordinance 2813-2012 Modernizing Chapter 329 as amended to the clerk”~~ see “FINAL Modernizing Chapter 329 correction ordinance 20131112”) is hereby enacted, effective 12:00 a.m. ~~January 1, 2014~~ January 1, 2015.

SECTION 2. That to prepare for the above directed enactment of Chapter 329 of the Columbus City Codes, 1959, the director of the department of finance and management is hereby authorized and directed to require the submission of prequalification applications pursuant to Sections 329.20, ~~and 329.21, and 329.211~~, Article 3, of Chapter 329, as enacted in Section 1 herein, beginning ~~August 1, 2013~~ January 1, 2014.

SECTION 3. That ordinance 2607-2012, which suspended application of the local credit, shall remain in effect until new Chapter 329 of the Columbus City Code, 1959, as enacted in Section 1 herein, becomes effective on ~~January 1, 2014~~ January 1, 2015.

SECTION 4. That existing Chapter 329 of the Columbus City Codes, 1959, is hereby repealed, effective 11:59 p.m., ~~December 31, 2013~~ December 31, 2014.

SECTION 5. That the following requirements of Ordinance 2813-2012 have been met: That there is hereby established the Local Business Working Group, which shall review best practices to support and incentivize local bidders and small businesses, with a special focus on support and incentives relative to Chapter 329 of the Columbus City Codes, 1959. This working group shall be led by a representative from Columbus City Council and a representative from the Mayor’s Administration, and shall consist of such external stakeholders as may be necessary to carry out the mission of the working group. The Local Business Working Group shall report its findings and recommendations to the Columbus City Council and the Mayor’s Administration within three (3) months of the effective date of this ordinance.

SECTION 6. That the following requirements of Ordinance 2813-2012 have been met: That the executive director of the Equal Business Opportunity Commission Office be and hereby is authorized and directed to develop and implement an initiative to assist small business owners and M/F/VBEs in meeting and exceeding the standards established in new Chapter 329 of the Columbus City Codes, 1959. Specific attention should be given to providing such entities with information regarding access to health insurance, retirement plans, employee training, licensing, and bonding. To the extent practicable, the initiative should also link such entities with direct providers of the aforementioned services. No later than August 1, 2013, and from time to time thereafter, the executive director must update Columbus City Council and the Mayor’s Administration on the progress of this initiative.

SECTION 2. That prior existing Ordinance 2813-2012 be and hereby is repealed.

SECTION 3. That, for the purposes of Section 1, the attached prequalification scoring matrix (see “FINAL Responsibility Prequalification Scoring Matrix 20131112”) proposed by the director of finance and management as required by Section 329.21(a), Article 3, of Chapter 329, as enacted in Section 1 herein, be and hereby is approved by Columbus City Council.

SECTION 4. That the director of finance and management be and hereby is authorized to make technical corrections, as necessary, to the prequalification scoring matrix provided that such corrections must be provided to the office of the Council President within three (3) business days.

SECTION 5. 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 passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.