



Legislation Text

File #: 2204-2014, **Version:** 1

BACKGROUND: This legislation authorizes the Director of Finance and Management to enter into a contract with Protectoplas Company for the purchase of a Thermoplastic Tank Liner Replacement for the Division of Water, Dublin Road Water Treatment Plant. The liner will be installed in an existing storage tank that contains 12.5% sodium hypochlorite solution that is used in the water treatment process.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA005525). Forty-six (46) vendors (44 MAJ, 2 F1) were solicited and one (1) bid (1 MAJ) was received and opened on August 28, 2014. After a review of the bid submitted by Protectoplas Company the Department has found their bid to be non-responsive due to the inclusion of conflicting terms and conditions. In addition, the company submitted a separate quotation sheet and did not complete the City's proposal page.

On June 5, 2014 the City solicited competitive sealed bids and obtained a similar non-responsive bid from Protectoplas Company. The Department of Public Utilities and the Purchasing Office expect that a third attempt to solicit competitive bids would yield similar results. In coordination with the Purchasing Office, the terms and pricing for this item were negotiated.

Therefore, the Department of Public Utilities requests that the competitive sealed bidding provision of the Columbus City Code be waived to award the contract to Protectoplas in the amount of \$39,949.80. This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the negotiated price is valid through November 30, 2014.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

SUPPLIER: Protectoplas Company, Contract Compliance Number: 34-1118421, expires 05/19/2016. This supplier does not hold MBE/FBE status.

FISCAL IMPACT: The Division of Water has allocated \$40,000.00 for this purchase in the 2014 budget. There were no similar purchases in 2012 or 2013.

To authorize the Director of Finance and Management to enter into a contract with Protectoplas Company for the purchase of a Thermoplastic Tank Liner Replacement for the Division of Water; to authorize the expenditure of \$39,949.80 from the Water Operating Fund; to waive competitive bidding provisions of the Columbus City Code; and to declare an emergency. (\$39,949.80)

WHEREAS, a Thermoplastic Tank Liner Replacement is required by the Division of Water, Dublin Road Treatment plant. The liner will be installed in an existing storage tank that contains 12.5% sodium hypochlorite solution that is used in the water treatment process; and

WHEREAS, the Purchasing Office opened formal bids on August 28, 2014 for the purchase of a Thermoplastic Tank Liner Replacement for the Division of Water; and

WHEREAS, The Department of Public Utilities is requesting this City Council to waive the applicable competitive bidding requirement of the city code in order to facilitate this procurement of a Thermoplastic Tank Liner Replacement for the Division of Water, Dublin Road Water Treatment Plant to establish a contract with Protectoplas Company; and

WHEREAS, a contract will be issued by the Purchasing Office in accordance with the terms, conditions and specifications of Solicitation Number: SA005525 on file in the Purchasing Office; and

WHEREAS, an emergency exists in the usual daily operation of the city, in that it is immediately necessary to authorize the Director of Finance and Management to enter into a negotiated contract to obtain a Thermoplastic Tank Liner Replacement for the immediate preservation of 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 Finance and Management be and is hereby authorized to enter into a contract with Protectoplas Company, 3500 Crane Centre Drive, Streetsboro, OH 44241, for the purchase of a Thermoplastic Tank Liner Replacement for the Division of Water, in accordance with specifications on file in the Purchasing Office.

SECTION 2. 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 3. That the expenditure of \$39,949.80 much thereof as may be needed is hereby authorized from Water Operating Fund 600, Department 60-09, OCA Code 602425, Object Level One 03, Object Level Three 3372, to pay the cost thereof.

SECTION 4. That the competitive bidding provisions of Columbus City Code Chapter 329 are hereby waived.

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