



## Legislation Text

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**File #: 2612-2014, Version: 1**

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On December 16, 2013 and July 28, 2014, Columbus City Council passed Ordinances 2808-2013 and 1785-2014, respectively, to modernize Chapter 329 of the Columbus City Codes, 1959. Both reflect the culmination of efforts put forth by Columbus City Council, the Administration and a working group of local business people, relative to best practices for procurement of construction services.

Implementation of the aforementioned ordinances is underway. It was anticipated that during this phase, minor clarifying corrections would be necessary. This ordinance proposes additional and anticipated clarifying corrections, including:

- Clarification of the definition of "Responsible Bidder;" and
- Clarification of bid and performance guarantee language; and
- Clarification of when to apply local and environmental preferences (with respect to construction); and
- Revision and clarification of pre-qualification timing requirements.
- Various minor clarifying edits

The previously established effective date of the code modernization process, as stated in ordinance 2808-2013, as well as other substantive issues, remain unchanged.

To amend sections one and two of Ordinance 1785-2014 for the purpose of making additional anticipated clarifying corrections related to the implementation of the construction procurement code; and to repeal prior existing Ordinance 1785-2014.

**SECTION 1.** That Sections 1 and 2 of Ordinance 1785-2014, which passed on July 28, 2014 and amends Sections 1-4 of Ordinance 2808-2013, which passed on December 16, 2013 be and hereby are amended to read as follows:

**SECTION 1.** That Sections 1 through 4 of Ordinance 2808-2013, which passed on December 16, 2013 and amends Sections 1-6 of Ordinance 2813-2012 by and hereby are amended to read as follows:

**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" see "Code 329 Amendment, Clarifying Revisions3") 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 2.** That prior existing Ordinance 2808-2013 be and hereby is repealed.

**SECTION 2.** That prior existing Ordinance 1785-2014 be and hereby is repealed.

**SECTION 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.