



## Legislation Text

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**File #:** 1151-2017, **Version:** 1

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### **1. BACKGROUND**

The Department of Public Service, Division of Design & Construction is in need of replacing PVC testing equipment. The current equipment is outdated and no longer reliable. The City's Purchasing Department advertised bids for new PVC testing equipment and software (RFQ004828); bids were opened on April 6<sup>th</sup>, 2017. The City received one bid from Zwick USA, who took exception to the City's terms and conditions for contract and purchase order. Through discussions with Zwick USA and the City's Purchasing Department, Zwick USA agreed to the terms and conditions required by the City for contract and purchase order.

Because Zwick USA initially took exception to the City's terms and conditions, the Department of Public Service is requesting to waive bidding provisions of City Code Chapter 329 to establish a contract and purchase order with Zwick USA.

This ordinance will authorize the expenditure of \$45,592.00.

### **2. FISCAL IMPACT**

Funds for this expenditure are budgeted in Fund 2241.

### **3. EMERGENCY DESIGNATION**

Emergency action is requested to ensure the testing equipment and software can be installed in a timely manner.

To authorize the Director of Finance and Management, on behalf of the Department of Public Service, Division of Design & Construction, to establish a purchase order with Zwick USA for the replacement of PVC testing equipment; to waive the competitive bidding provisions of City Code Chapter 329; to authorize the expenditure of \$45,592.00 from the private construction inspection fund; and to declare an emergency. (\$45,592.00)

**WHEREAS**, the Department of Public Service, Division of Design and Construction, is in need of new PVC testing equipment and software; and

**WHEREAS**, bids were advertised and published by the City's Purchasing Division and only one bid was received from Zwick USA; and

**WHEREAS**, funds are available in the private construction inspection fund for this expense, and

**WHEREAS**, it is in the City's best interests to waive the competitive bidding provisions of City Code Chapter 329; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design & Construction, in that it is immediately necessary to authorize the Director of Finance and Management to establish a purchase order with Zwick USA for this equipment as soon as possible, 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 Finance and Management is hereby authorized to establish a purchase order with Zwick USA in the sum of \$45,592.00 or so much thereof as may be needed.

Zwick USA  
2125 Barrett Park Drive, Suite 107  
Kennesaw, GA 30144

**SECTION 2.** That the sum of \$45,592.00 or so much thereof as may be needed is hereby authorized to be expended from the private construction inspection fund per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That this Council finds it in the City's best interest to waive the competitive bidding provisions of Columbus City Code Chapter 329.

**SECTION 4.** 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 5.** 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 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 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.