



## Legislation Text

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**File #:** 2028-2019, **Version:** 1

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### **BACKGROUND:**

**Need:** This legislation authorizes the Finance and Management Director to issue purchase orders to Sutphen Corporation, Horton Emergency Vehicles, Stryker EMS Equipment, and Motorola Solutions Inc. for the purchase of Fire and EMS emergency response apparatus/vehicles as follows:

Sutphen Corporation ~ The Division of Fire is in need to purchase one (1) Sutphen Corporation SPH-100 Aerial Platform and two (2) Sutphen Corporation Monarch Custom Pumpers to replace apparatus that are beyond their useful life with high maintenance costs. Sutphen SPH-100 Aerial Platforms and Sutphen Monarch Custom Pumpers continue to offer the highest quality, heavy-duty custom apparatus in the industry with a body structure that provides maximum firefighting capabilities, while also providing smooth maneuverability, strength, and longevity. These purchases will be made from the existing State of Ohio Term Contract STS618/#800257 with Sutphen Corporation. Included with the Sutphen Monarch Custom Pumpers purchase will be the purchase/installation of all pertinent equipment to be utilized on the respective vehicles. This purchase between the City of Columbus and State of Ohio is authorized by Ordinance 582-87, which allows for the cooperative purchasing between the State of Ohio Department of Administrative Services Cooperative Contracts and other governmental entities.

Horton Emergency Vehicles ~ The Division of Fire is in need to purchase ten (10) Horton Emergency Medical Service (EMS) Transport Vehicles to replace those that are beyond their useful life and have high maintenance costs. Horton EMS Transport Vehicles, which are custom-built for the Division of Fire, have been employed by the Division of Fire on front line emergency response runs since 1973, and have been proven to be both economical and reliable. These Horton vehicles are manufactured locally in Grove City, Ohio, with an on-site factory service center. The purchase of the Horton EMS vehicles will be made from the existing State of Ohio Term Contract (STS233) with Horton Emergency Vehicles. Utilizing the State Term Contract will permit the timely ordering of a quantity of ten (10) new Horton EMS Transport Vehicles at comparable prices to previous purchases in past years. This purchase between the City of Columbus and State of Ohio is authorized by Ordinance 582-87 which allows for the cooperative purchasing between the State of Ohio Department of Administrative Services Cooperative Contracts and other governmental entities.

Stryker EMS Equipment ~ The Fire Division is in need to purchase Stryker Ambulance Cots for each of the EMS Transport vehicles being ordered from Horton Emergency Vehicles. While in the past these cots have been included in the specifications along with other EMS equipment that comes included on the vehicle, it has been discovered that buying directly from the manufacturer will result in a significant savings to the City. A waiver of the competitive bidding provisions of the Columbus City Code, Chapter 329 is necessary for this purchase as the State Term Schedule in process for these ambulance cots has not yet been finalized.

Motorola Solutions Inc. ~ The Fire Division is in need to purchase a compliment of communications equipment for the above apparatus from an existing Universal Term Contract established by the Purchasing Office with Motorola Solutions Inc.; this radio communication equipment is to be utilized in frontline emergency apparatus purchased for the Division of Fire.

Bid Information: Contract and/or Bid information is as follows:

Motorola Solutions Inc. - Universal Term Contract - PA003503 exp. 09/30/2021 - FID #36-1115800 - Active C.C. Vendor #007169

Sutphen Corporation for this purchase Index #STS618 - Contract #800257 - expires 8/31/2019 ~ FID #31-06871786; this purchase between the City of Columbus and State of Ohio is authorized by Ordinance 582-87, which allows for the cooperative purchasing between the State of Ohio Department of Administrative Services Cooperative Contracts and other governmental entities.

Horton Emergency Vehicles for this purchase Index #STS233; Contract #800330; expires 12/31/2019 ~ #35-2018529; included with the purchase of the Horton EMS Transport Vehicles is the purchase and installation of all pertinent equipment required for these respective vehicles. Competitive bidding is being waived on the purchase and installation of this equipment as these items are not included on State Term Schedule (STS233). This pertinent equipment will be installed on the Horton vehicles as they are being manufactured. If this equipment were formally bid out and purchased from a 3rd party, said equipment would be drop-shipped to Horton, thus delaying both the manufacturing schedule and delivery of these important vehicles. This purchase between the City of Columbus and State of Ohio is authorized by Ordinance 582-87, which allows for the cooperative purchasing between the State of Ohio Department of Administrative Services Cooperative Contracts and other governmental entities.

Stryker EMS Equipment FID #38-2902424; these ambulance cots are being acquired via Competitive Bid Waiver as the State Term Schedule the ambulance cots are to appear on is not yet completed.

**EMERGENCY DESIGNATION:** Emergency action is requested as funds are needed immediately so that production of these custom apparatus/vehicles can commence upon passage of this ordinance.

**FISCAL IMPACT:** Unencumbered cash will be available upon transfer from the Special Income Tax Fund to the Fire Division's Safety Bond Fund for this purchase. This transfer is a temporary funding method; the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund. An amendment to the 2019 Capital Improvement Budget is necessary.

To authorize and direct the City Auditor to transfer \$5,958,392.88 from the Special Income Tax Fund to the Fire Safety Bond Fund; to authorize the appropriation of said funds; to waive the competitive provisions of the Columbus City Codes, Chapter 329; to authorize and direct the Finance and Management Director to enter into contracts with and issue purchase orders to Sutphen Corporation for the purchase of one (1) Aerial Platform Ladder Truck in the amount of \$1,381,924.00, and two (2) Monarch Custom Pumpers in the amount of \$1,256,166.38, Horton Emergency Vehicles for the purchase of ten (10) EMS Transport Vehicles in the amount of \$2,829,004.10, Stryker EMS Equipment for the purchase of ten (10) ambulance cots in the amount of \$421,728.00, and Motorola Solutions Inc. for the purchase of communications equipment in the amount of \$69,570.40; to amend the 2019 Capital Improvement Budget; to authorize the expenditure of \$5,958,392.88 from the Safety Voted Bond Fund; and to declare an emergency. (\$5,958,392.88)

**WHEREAS**, a need exists within the Fire Division to purchase one (1) Sutphen Corporation SPH-100 Platform Ladder, two (2) Sutphen Corporation Monarch Custom Pumpers, ten (10) Horton Emergency Vehicles EMS Transport Vehicles from existing State of Ohio Term Contracts/Pricing Schedules, ten (10) Stryker EMS Equipment ambulance cots, and communications equipment from Motorola Solutions Inc. from the City Auditor's Special Income Tax Fund; and,

**WHEREAS**, it is necessary to amend the 2019 Capital Improvement Budget; and,

**WHEREAS**, a transfer of funds from the Special Income Tax Fund is necessary to fund this purchase; and,

**WHEREAS**, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and,

**WHEREAS**, this transfer should be considered as a temporary funding method; and,

**WHEREAS**, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project"); and,

**WHEREAS**, the aggregate principal amount of obligations which the City will issue to finance this purchase is presently expected not to exceed \$5,958,392.88; and,

**WHEREAS**, it is necessary to authorize the Director of Finance and Management to enter into contracts with and issue purchase orders to Sutphen Corporation for the purchase of one (1) SPH-100 Platform Ladder and two (2) Sutphen Corporation Monarch Custom Pumpers, Horton Emergency Vehicles for ten (10) EMS Transport Vehicles from existing State of Ohio Term Contracts/Pricing Schedules, Stryker EMS Equipment for the purchase of ten (10) ambulance cots, and Motorola Solutions Inc. for the purchase of communications equipment; and,

**WHEREAS**, it is in the City's best interest to waive the competitive bidding provisions of City Code Chapter 329 for the purchase and installation of medic equipment and ambulance cots that do not appear on the STS purchase with Horton Emergency Vehicles and Stryker EMS Equipment, respectively; and,

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Safety in that it is immediately necessary to authorize these purchases and transfer said funds from the Special Income Tax Fund into the Safety Voted Bond Fund to purchase said equipment, 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 sum of \$5,958,392.88 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 4430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2019 to the City Auditor, Department 2201, Object Class 10 Transfer Out Operating.

**SECTION 2.** That the City Auditor is hereby authorized to transfer said funds to the Safety Voted Bond Fund 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 monies appropriated in the foregoing Section 1 shall be paid upon order of the Director of Public Safety and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 4.** That the 2019 Capital Improvement budget Ordinance 1988-2019 is hereby amended as follows in order to provide sufficient budget authority for this ordinance.

**Fund / Project / Project Name / Current / Change / Amended**

Fund 7701; P340151-100000; Fire Apparatus - Platform Ladders (Voted 2016) / \$1,200,000 / \$181,924 / \$1,381,924.00

Fund 7701; P340150-100000; Fire Apparatus - Medics (Voted 2016) / \$3,000,000 / \$250,732 / \$3,250,732

Fund 7701; P340152-100000; Fire Apparatus - Engines (Voted 2016) / \$1,800,000 / (\$432,656) / \$1,367,344

**SECTION 5.** That the transfer of \$5,958,392.88 or so much thereof as may be needed, is hereby authorized between the Special Income Tax Fund 4430, and the Safety Capital Improvement Fund, Fund 7701 per the account codes in the attachment to this ordinance.

**SECTION 6.** That the Finance and Management Director be and is hereby authorized and directed to enter into a contract with and issue a purchase order to Sutphen Corporation in the amount of \$2,638,090.38 for the purchase of one (1) Sutphen Aerial Platform Truck in the amount of \$1,381,924.00 and two (2) Sutphen Monarch Custom Pumpers in the amount of \$1,256,166.38, to include the purchase/installation of all pertinent equipment to be utilized on the respective vehicles for the Division of Fire in accordance with the existing State of Ohio Term Contract established by the State of Ohio Purchasing Office with Sutphen Corporation, the purchase from which is authorized by Ord. 582-87.

**SECTION 7.** That the Finance and Management Director be and is hereby authorized and directed to enter into a contract with and issue a purchase order to Horton Emergency Vehicles in the amount of \$2,829,004.10 for the purchase of ten (10) Horton EMS Transport Vehicles for the Division of Fire in accordance with the existing State of Ohio Term Contract established by the State of Ohio Purchasing Office with Horton Emergency Vehicles, the purchase from which is authorized by Ord. 582-87. Included with the purchase price, but not on the State Term Contract, of the Horton EMS Transport Vehicles is the purchase and installation of all pertinent equipment required for these respective vehicles to be installed as they are being manufactured, in order to prevent delay of these vehicles.

**SECTION 8.** That the Finance and Management Director be and is hereby authorized and directed to enter into a contract with and issue a purchase order to Stryker EMS Equipment in the amount of \$421,728.00 for the purchase of ten (10) ambulance cots.

**SECTION 9.** That the Finance and Management Director be and is hereby authorized and directed to enter into a contract with and issue a purchase order to Motorola Solutions Inc. in the amount of \$69,570.40 for the purchase of communications equipment via the Universal Term Contract established for that purpose.

**SECTION 10.** That the expenditure of \$5,958,392.88, or so much thereof as may be necessary in regard to the actions authorized in the foregoing sections, be and is hereby authorized from Fund 7701, per the accounting codes in the attachment to this ordinance.

**SECTION 11.** 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 purchase and installation of all pertinent equipment for the Horton Emergency Vehicles EMS Transport Vehicles for the Division of Fire since it is not included in the State Term Contract.

**SECTION 12.** 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 purchase of Stryker EMS Equipment ambulance cots for the Division of Fire since the respective State Term Schedule has not yet been finalized.

**SECTION 13.** That upon obtaining other funds for this project for the Department of Public Safety, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 5 above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 14.** 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 1 and 2, above.

**SECTION 15.** That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$5,958,392.88 (the "Obligations"). The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of the Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

**SECTION 16.** 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 17.** 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 18.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared 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.