



Legislation Text

File #: 2073-2020, **Version:** 1

BACKGROUND:

Need: This legislation authorizes the Finance and Management Director to issue purchase orders to Sutphen Corporation, Heritage Fire Equipment, Finley Fire Equipment Company via Pierce Manufacturing STS, Howell Rescue Equipment, Motorola Solutions Inc., and All American Fire Equipment for the purchase of Fire and EMS emergency response apparatus/vehicles and related equipment as follows:

Sutphen Corporation / Heritage Fire Equipment ~ The Division of Fire is in need to purchase five (5) Sutphen Corporation Monarch Custom Rescues in the amount of \$3,836,685.00 to replace apparatus that are beyond their useful life with high maintenance costs, and to upfit/refurbish one (1) Rescue via City of Columbus UTC with their Heritage Fire Equipment subsidiary in the amount of \$62,274.58 to serve as an on-scene decontamination unit. Included with the Sutphen Monarch Custom Rescues purchase will be the purchase/installation of all pertinent equipment to be utilized on the respective vehicles.

Pierce Manufacturing Inc. via Finley Fire Equipment Company ~ The Division of Fire is in need to purchase one (1) custom Pierce Tiller Ladder Truck and the purchase/installation of all pertinent equipment in the amount of \$1,383,038.00, and intercom systems to retrofit existing ladders in the amount of \$61,029.43, for the Division of Fire. Pierce Aerial Tiller Ladder Trucks have been employed by the Division of Fire on front line emergency response runs since 2011, and are custom-built for the Division of Fire with heavy-duty high strength steel. In an effort to standardize fire apparatus, both Fleet and the Division of Fire have chosen the Pierce Tiller as parts are readily available from a local dealer as well as service when necessary. The City of Columbus currently has a quantity of five (5) Pierce Aerial Tiller Ladder Trucks in their Fleet. The Fire Division has a need to replace one (1) aerial tiller ladder truck that is beyond its useful life and has high maintenance costs. The retrofitting of intercom systems is included in this purchase, which will provide the latest model of decibel reducing headset technology for firefighters in an effort to reduce the occupational hazards faced while operating such emergency apparatus. Included in the quote for this purchase is the cost for three (3) inspection trips (pre-construction, post paint, and final) totaling \$10,500.00.

Howell Rescue Systems Inc. ~ The Division of Fire is in need to purchase Genesis Rescue extraction tools and related equipment in the amount of \$244,510.00 for use on it's Heavy Rescue apparatus; Howell Rescue Systems Inc. is the sole distributor of this equipment, and are the authorized warranty representative for the existing Genesis tool compliment currently in use by the Division of Fire.

Motorola Solutions Inc. ~ The Fire Division is in need to purchase a compliment of communications equipment in the amount of \$27,910.02 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.

All American Fire Equipment ~ The Fire Division is in need to purchase thermal imaging cameras in the amount of \$140,000.00 for use in fire emergency operations from the existing Universal Term Contract established by the City of Columbus Purchasing Office.

BID INFORMATION:

Sutphen Corporation ~ \$3,836,685.00 - State of Ohio Index #STS618 - Contract #800814 exp. 8/31/2022 - FID #31-06871786 - Vendor #004200 // The Division of Fire is requesting a waiver of competitive bidding requirements of the City Code for this purchase. While these purchases will be made from the existing State of Ohio Term Contract STS618/#800814 with Sutphen Corporation, recent changes to bidding requirements cannot be fulfilled in a timely fashion for this custom apparatus and thus a waiver of bidding is necessary.

Heritage Fire Equipment ~ \$62,274.58 - City of Columbus Universal Term Contract PA004323 exp. 01/31/2022 - FID #81-4662763 - Vendor #024589

Pierce Manufacturing Inc. via Finley Fire Equipment Co. Inc. ~ \$1,444,067.43 - State of Ohio Index #STS618 - Contract #800721 exp. 06/30/2021 Pierce Manufacturing Inc. - FID #31-0816583 - Vendor #004348 // The Division of Fire is requesting a waiver of competitive bidding requirements of the City Code for this purchase. While this purchase will be made from the existing State of Ohio Term Contract STS618/#800721 with Pierce Manufacturing Inc./Finley Fire Equipment Co. to permit the timely ordering of one (1) custom Pierce Tiller Ladder Truck at a comparable price to previous purchases in past years, recent changes to bidding requirements cannot be fulfilled in a timely fashion for this custom apparatus and thus a waiver of bidding is necessary.

Howell Rescue Systems Inc. ~ \$244,510.00 - Sole Source - FID #31-1402133 - Vendor #005271 // The Division of Fire is requesting a waiver of competitive bidding requirements of the City Code for this purchase. While this purchase will be made via sole source procurement policy, a waiver of competitive bidding and sale of surplus equipment requirements of the City Code is requested to accommodate the trade-in of venerable equipment that will reduce the capital outlay of this purchase.

Motorola Solutions Inc. ~ \$27,910.02 - City of Columbus Universal Term Contract - PA003503 exp. 09/30/2021 - FID #36-1115800 - Active C.C. Vendor #007169

All American Fire Equipment ~ \$140,000.00 - City of Columbus Universal Term Contract - PA003406 exp. 12/31/2020 - FID #31-1381503 Vendor #005226

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.

To authorize and direct the City Auditor to transfer \$5,755,447.03 from the Special Income Tax Fund to the Fire Safety Bond Fund; to authorize the appropriation of said funds; to waive the competitive bidding and sale of surplus provisions of the Columbus City Codes, Chapter 329; to authorize the Finance and Management Director to enter into contracts with and issue purchase orders to Sutphen Corporation for the purchase of five (5) Monarch Custom Rescue in the amount of \$3,836,685.00, Heritage Fire Equipment for the upfit of an existing rescue in the amount of \$62,274.58, Finley Fire Equipment for the purchase of one (1) Pierce Tiller Ladder and intercom retrofit in the amount of \$1,444,067.43, Howell Rescue System for the purchase of extraction rescue tools in the amount of \$244,510.00 in accordance with sole source provisions of City Codes, Motorola Solutions Inc. for the purchase of communications equipment in the amount of \$27,910.02, and All American Fire Equipment for the purchase of thermal imaging cameras in the amount \$140,000.00; to amend the 2019 Capital Improvement Budget; to authorize the expenditure of \$5,755,447.03 from the Safety Voted

Bond Fund; and to declare an emergency. (\$5,755,447.03)

WHEREAS, a need exists within the Fire Division to purchase front line response rescue and fire apparatus and related rescue extraction and communications equipment; 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 \$5,755,447.03; and,

WHEREAS, it is necessary to authorize the Director of Finance and Management to issue purchase orders to Sutphen Corporation, Heritage Fire Equipment, Finley Fire Equipment, Howell Rescue System, Motorola Solutions Inc., and All American Fire Equipment for the purchase of Fire and EMS emergency response apparatus/vehicles and related equipment needed by the Division of Fire; and,

WHEREAS, a waiver to the competitive bidding and sale of surplus equipment provisions of the Columbus City Codes is necessary given changes to State of Ohio STS policies; 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 \$5,755,447.03 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, 2020 to the City Auditor, Department 2201, Object Class 10 Transfer Out Operating.

SECTION 2. That the City Auditor is hereby authorized and directed 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 - Ladders (Voted 2016) / \$0 / \$1,584,068 / \$1,584,068

Fund 7701; P340152-100000; Fire Apparatus - Engines (Voted 2016) / \$0 / \$4,171,380 / \$4,171,380

SECTION 5. That the transfer of \$5,755,447.03 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 to issue a purchase order to: Sutphen Corporation for the purchase of five (5) Monarch Custom Rescue in the amount of \$3,836,685.00 as authorized by cooperative purchasing agreement Ordinance 582-87; Heritage Fire Equipment for the upfit of an existing rescue in the amount of \$62,274.58 as per the existing City of Columbus UTC; Finley Fire Equipment for the purchase of one (1) Pierce Tiller Ladder and intercom retrofit in the amount of \$1,444,067.43 as authorized by cooperative purchasing agreement Ordinance 582-87; Howell Rescue System for the purchase of extraction rescue tools in the amount of \$244,510.00 in accordance with the sole source provisions of City Codes; Motorola Solutions Inc. for the purchase of communications equipment in the amount of \$27,910.02 as per the existing City of Columbus UTC; and All American Fire Equipment for the purchase of thermal imaging cameras in the amount \$140,000.00 as per the existing City of Columbus UTC.

SECTION 7. 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 8. 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 2 and 5, above.

SECTION 9. 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 \$5,755,447.03 (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 10. 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 11. 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 12. That this Council finds it is in the best interest of the City of Columbus to waive the competitive bidding and sale of surplus equipment provisions of the Columbus City Code, Chapter 329, relating to the aforementioned purchase and installation of Sutphen Corporation, Pierce/Finley Fire, and Howell Rescue Systems apparatus and related equipment for the Division of Fire.

SECTION 13. 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.