



## Legislation Text

**File #: 2628-2022, Version: 1**

### **BACKGROUND AND BID INFORMATION:**

This legislation authorizes the Finance and Management Director to issue purchase orders to Atlantic Emergency Solutions, Sutphen Corporation, and Stryker Sales Corporation for the purchase of Fire and EMS emergency response apparatus/vehicles and related equipment.

Competitive bidding is being waived for each of the below vendors. City agencies are required to obtain at least three actual quotes from STS vendors; the Fire Division is not able to do so with Atlantic Emergency Solutions and Sutphen Corporations, given the lack of available manufacturers of custom fire apparatus within the State of Ohio's STS schedule. Given the Division of Fire's need for custom apparatus, referencing a contract awarded through this program with three quotes is not possible, thus the submission of this bid waiver legislation to City Council. This custom apparatus from Pierce and Sutphen has been the Fire Division's standardized equipment for several years, as Fire believes these products are the best for their operations given the quality, durability and customizability each manufacturer offers, as well as the cost effective approach that has resulted from negotiating directly with each manufacturer during the build process. By dealing directly with each manufacturer during the specification and price negotiation processes, Fire is able to control costs to remain within budgeted funding, and manage lead times. The subsequent contracts established by Fleet Management with each manufacturer has also simplified the managing of parts/service after purchase.

Competitive bidding is being waived for Stryker Sales Corporation as the Stryker Power Cot is the standardized ambulance cot deployed by Columbus Fire, making it manifestly impractical to bid given Stryker is the sole distributor for their proprietary equipment.

Atlantic Emergency Solutions ~ FID #273187193 / Vendor 034448 ~ The Division of Fire is in need to purchase one (1) Pierce Tandem Axel 107' ladder in the amount of \$1,983,538.00; included in the quote for this purchase is the cost for three (3) inspection trips for eight (8) CFD personnel totaling \$33,000.00 (pre-construction, post paint, and final). This purchase is made in accordance with State of Ohio Index #STS618, Schedule #800918, which expires 6/30/2023, however bidding requirements for STS purchases cannot be fulfilled for this custom apparatus given the lack of available suppliers, thus a waiver of bidding is necessary.

Sutphen Corporation ~ FID #310671786 / Vendor 004200 ~ The Division of Fire is in need to purchase two (2) Sutphen Corporation Monarch Custom Pumpers in the amount of \$1,726,368.00 to replace apparatus that are beyond their useful life with high maintenance costs; 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 is made in accordance with State of Ohio Index #STS618, Schedule #800814, which expires 8/31/2024, however bidding requirements for STS purchases cannot be fulfilled for this custom apparatus given the lack of available suppliers, thus a waiver of bidding is necessary.

Stryker Sales Corporation ~ FID #382902424 / Vendor 030281 ~ The Fire Division is in need to purchase seven (7) Stryker Ambulance Power 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 Stryker Power Cot is the standardized ambulance cot deployed by Columbus Fire, making it manifestly impractical to bid given Stryker is the sole distributor for their proprietary equipment.

**EMERGENCY DESIGNATION:** Current build times (900 calendar days for aerial ladders and 24 months for engines) for the fire apparatus purchased in this ordinance require emergency action to insure funds are encumbered immediately to allow for the production of these custom apparatus to commence upon passage of this ordinance and confirmation of the subsequent purchase orders.

**FISCAL IMPACT:** Cash is available upon transfer from various projects within the Safety Voted Bond Fund for this purchase; these transfers are a temporary funding method, and will be refunded when the City sells notes or bonds to fund the current Capital Improvement Budget.

To authorize and direct the City Auditor to transfer \$4,118,758.72 within various projects of the Safety Voted Bond Fund; to amend the 2021 Capital Improvement Budget; to waive the competitive bidding 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 Atlantic Emergency Solutions for the purchase of one (1) ladder in the amount of \$1,983,538.00, Sutphen Corporation for the purchase of two (2) Monarch Custom Pumps in the amount of \$1,726,368.00, and Stryker Sales Corporation for the purchase of seven (7) Stryker Ambulance Power Cots; to authorize the expenditure of \$4,159,152.91 from the Safety Voted Bond Fund; and to declare an emergency. (\$4,159,152.91)

**WHEREAS,** a need exists within the Fire Division to purchase front line response rescue and fire apparatus and related equipment; and,

**WHEREAS,** a transfer of funds within the Safety Voted Bond Fund is necessary to fund this purchase; and,

**WHEREAS,** it is necessary to amend the 2021 Capital Improvement Budget; and,

**WHEREAS,** the City will sell notes or bonds to fund the current Capital Improvement Budget and will reimburse the various projects within the Safety Voted Bond Fund; and,

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

**WHEREAS,** it is necessary to authorize the Director of Finance and Management to issue purchase orders to Atlantic Emergency Solutions, Sutphen Corporation, and Stryker Sales Corporation, for the purchase of emergency response apparatus/vehicles and related equipment needed by the Division of Fire; and,

**WHEREAS,** a waiver to the competitive bidding provisions of the Columbus City Codes is necessary as per the attachment to this ordinance; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Safety in that it is immediately necessary to authorize the Director of the Department of Finance and Management to make these purchases and transfer said funds from within the Safety Voted Bond Fund as a temporary funding measure 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 City Auditor is hereby authorized and directed to transfer said funds within the Safety Voted Bond Fund per the account codes in the attachment to this ordinance 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 2.** That the 2022 Capital Improvement budget (Ordinance 1896-2022) is hereby amended as follows in order to provide sufficient budget authority for this ordinance.

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

7701	/ P340150-100000	/ Fire Apparatus Medics (Voted Carryover)	/ \$40,216.00	/
\$40,395.00		/ -\$179.00 cancellation		
7701	/ P330045-100000	/ Real Time Crime Center (Voted Carryover)	/ \$5,500,000.00	/
\$1,381,242.00		/ (\$4,118,758.00)		
7701	/ P340150-100000	/ Fire Apparatus Medics (Voted Carryover)	/ \$40,395.00	/
\$449,247.00		/ +\$408,852.00		
7701	/ P340151-100000	/ Fire Apparatus Ladders (Voted Carryover)	/ \$0	/
\$1,983,538.00		/ +\$1,983,538.00		
7701	/ P340152-100000	/ Fire Apparatus Engines (Voted Carryover)	/ \$0	/
\$1,726,368.00		/ +\$1,726,368.00		
7701	/ P340150-100000	/ Fire Apparatus Medics (Voted 2019 SIT Supported)	/ \$2,000,000.00	/
\$1,591,148.00		/ (\$408,852.00)		
7701	/ P340151-100000	/ Fire Apparatus Ladders (Voted 2019 SIT Supported)	/ \$2,000,000.00	/
\$16,462.00		/ (\$1,983,538.00)		
7701	/ P340152-100000	/ Fire Apparatus Engines (Voted 2019 SIT Supported)	/ \$2,000,000.00	/
\$273,632.00		/ (\$1,726,368.00)		
7701	/ P330045-100000	/ Real Time Crime Center (Voted 2019 SIT Supported)	/ \$0.00	/
\$4,118,758.00		/ +\$4,118,758.00		

**SECTION 3.** That the transfer of \$4,118,758.72 or so much thereof as may be needed, is hereby authorized within the Safety Voted Bond Fund 7701 per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Finance and Management Director be and is hereby authorized to issue a purchase order to: Atlantic Emergency Solutions for the purchase of one (1) ladder in the amount of \$1,983,538.00; Sutphen Corporation for the purchase of two (2) Monarch Custom Pumpers in the amount of \$1,726,368.00; and Stryker Sales Corporation for the purchase of seven (7) Stryker Ambulance Power Cots in the amount of \$449,246.91.

**SECTION 5.** 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 Safety Voted Bond Fund the amount transferred under Section 3 above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 6.** 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 Sections 3, 4 and 5, above.

**SECTION 7.** 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 8.** 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 9.** That this Council finds it is in the best interest of the City of Columbus to waive the competitive bidding equipment provisions of the Columbus City Code, Chapter 329, relating to the aforementioned purchases from Atlantic Emergency Solutions, Sutphen Corporation, and Stryker Sales Corporation for the Division of Fire.

**SECTION 10.** 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.