



Legislation Text

File #: 2756-2022, **Version:** 1

BACKGROUND: This legislation authorizes the Finance and Management Director to establish a Universal Term Contract (UTC) for the option to purchase Vapor Draw Propane with Linde Gas & Equipment Inc. The Division of Fleet Management is the primary user of Vapor Draw Propane, used to fill vapor draw cylinders to fuel equipment at multiple locations. The term of the proposed option contract would be approximately three (3) years, expiring October 31, 2025, with the option to renew for one (1) additional year. In addition, the expenditure of \$1.00 is hereby authorized from General Budget Reservation BRPO002025.

The Purchasing Office advertised and solicited competitive bids in accordance with the relevant provisions of Columbus City Code 329 relating to competitive bidding, (Request for Quotation No. RFQ022727). The Purchasing Office opened formal bids on September 29, 2022. One (1) bid was received. Linde Gas & Equipment Inc. took exception to some of the city's standard terms and conditions, making a waiver necessary.

The Purchasing Office is recommending award to lowest, responsible and best bidder as follows:

Linde Gas & Equipment Inc., CC# 010820 expires 9/27/24, All Items, \$1.00

Total Estimated Annual Expenditure: \$60,000, Division of Finance and Management, primary user.

Emergency Designation: The Finance and Management Department respectfully requests this legislation be considered an emergency ordinance because the current contract will expire at the end of October.

This company is not debarred according to the Excluded Parties listing of the Federal Government and are not listed in the Auditor of States database for Findings for Recovery.

FISCAL IMPACT: The expenditure of \$1.00 is hereby authorized from General Budget Reservation BRPO002025. City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

To authorize the Finance and Management Director to enter into a contract for the option to purchase Vapor Draw Propane with Linde Gas & Equipment Inc.; to authorize the expenditure of \$1.00; to waive the provisions of competitive bidding; and to declare an emergency. (\$1.00)

WHEREAS, the Vapor Draw Propane UTC will provide for the purchase and delivery of propane into specialty vapor draw cylinders to fuel city equipment; and,

WHEREAS, the Purchasing Office advertised and solicited formal bids on September 29, 2022; and

WHEREAS, Linde Gas & Equipment Inc. took exception to some of the city's standard terms and conditions and although acceptable it is necessary to waive the provisions of competitive bidding; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is

immediately necessary to authorize the Finance and Management Director to enter into a Universal Term Contract to ensure a contract is in place for the option to purchase Vapor Draw Propane before the previous contract expires, 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 Finance and Management Director is hereby authorized to enter into the following contract for the option to purchase Vapor Draw Propane in accordance with Request for Quotation RFQ022727 for a term of approximately three (3) years, expiring October 31, 2025, with the option to renew for one (1) additional year, as follows:

Linde Gas & Equipment Inc., All Items, \$1.00

SECTION 2. This Council finds it is in the best interest of the City of Columbus to waive the relevant provisions of Columbus City Codes Section 329 to permit the aforementioned purchase.

SECTION 3. That the expenditure of \$1.00 is hereby authorized from General Budget Reservation BRPO002025 of this ordinance to pay the cost thereof.

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 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 ten days after passage if the Mayor neither approves nor vetoes the same.