



Legislation Text

File #: 2248-2023, **Version:** 1

Background: This legislation authorizes the City Auditor to transfer \$200,000.00 within the General Fund; authorizes Franklin County Municipal Court, Clerk of Court ("Municipal Court Clerk") to enter into a one (1) year contract with FedEx Corporation ("FedEx") for the provision of commercial carrier service in the amount up to \$200,000.00.

The Court requested the Municipal Court Clerk to add a commercial carrier service option (using FedEx) for civil filings to improve the effective rate of parties being successfully served.

The Municipal Court Clerk offers multiple service options when serving the defendant in a civil case; however, certified mail is the most used method. A commercial carrier service would be more efficient and effective than heavily relying on certified mail service; since the United States Post Office attempts one time to successfully complete the certified service, whereas FedEx attempts three times to successfully complete the service. Receiving successful returns through FedEx is an automated process that allows the Court and Municipal Court Clerk to better meet the needs of a paperless environment by automatically receiving the confirmation of service through the Municipal Court Clerk case management system instead of needing to manually enter the data.

Adding a commercial carrier service gives parties additional options to properly serve the opposing party than what is currently being offered by the Franklin County Municipal Court. Ensuring proper service of the defendant allows them the time needed to appropriately address the situation and receive legal assistance if needed.

Bid Information: In 2008, FedEx created a Courts Program specifically for the Ohio Association of Municipal/County Court Clerks ("OAMCCC"). The initial agreement was viewed as impractical to bid due to FedEx being the only commercial carrier service offering the cost saving program and therefore was not competitively bid. As of 2023, thirty-six (36) courts have obtained commercial carrier service with FedEx through the use of this program. The program allows for courts to have exclusive pricing and service to aid in the delivery of court documents unmatched by the state term contract.

Ordinance 3278-2022 authorized an add-on software upgrade to process and track the FedEx mail through the Municipal Court Clerk's case management system, CourtView Justice Solutions, Inc., d/b/a Equivalent ("CourtView Justice Solution, Inc."). CourtView Justice Solution, Inc. will only accept FedEx to interface with their system. CourtView Justice Solution, Inc. is proprietary.

Therefore, the Municipal Court Clerk is requesting this City Council to waive the competitive bidding provisions of Columbus City Code.

Contract Compliance: 71-0427007

Expiration Date: 7/19/2025

DAX Vendor Number: 009933

This company is not debarred according to the excluded party listing system of the Federal Government or prohibited from being awarded a contract according to the Auditor of State unresolved finding for recovery certified search.

Fiscal Impact: Funds totaling \$200,000.00 are available within the General Fund.

Emergency: There is an immediate need to enter into a contract with FedEx for commercial carrier service to ensure proper service procedures are met as soon as possible.

To authorize the City Auditor to transfer \$200,000.00 within the General Fund; to authorize the Municipal Court Clerk to enter into the contract with FedEx for the provision of commercial carrier service for the Municipal Court Clerk's Office; to waive the competitive provisions of Columbus City Code; to authorize the expenditure of up to \$200,000.00 from the General Fund; and to declare an emergency. (\$200,000.00)

WHEREAS, the Municipal Court Clerk has a need to offer commercial carrier service to ensure proper service procedures are met; and

WHEREAS, the current agreement between FedEx and OAMCCC provides a cost efficient flat rate to participating courts; and

WHEREAS, it is in the City's best interest to waive the competitive bidding provisions of Columbus City Code; and

WHEREAS, it is necessary to authorize the transfer of \$200,000.00 within the General Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Municipal Court Clerk's Office in that it is immediately necessary to authorize the Municipal Court Clerk to enter into contract with FedEx for the provision of commercial carrier service to ensure legally required, proper service procedures are met 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 City Auditor is hereby authorized to transfer \$200,000.00, or so much thereof as may be needed, within the General Fund per the account codes in the attachment to this legislation.

SECTION 2. That the Municipal Court Clerk be and is hereby authorized to enter into a contract with FedEx for the provision of commercial carrier services for the Municipal Court Clerk's Office.

SECTION 3. That this Council finds that it is in the City's best interest to waive the competitive bidding provisions of City Code in order to enter into this contract.

SECTION 4. That the expenditure sum of \$200,000.00, or so much thereof as may be needed, is hereby authorized in the General Fund 1000, in Object Class 03 - Contractual Services per the accounting codes in the attachment to this ordinance.

SECTION 5. That the funds are hereby deemed appropriated and expenditures authorized to carry out the purposes of this legislation and the City Auditor shall establish such accounting codes as necessary.

SECTION 6. 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 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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.