



Legislation Details (With Text)

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On agenda: 9/12/2022 **Final action:** 9/15/2022

Title: To authorize the Director of Public Service to enter into a contract modification with M P Dory Company in connection with the Roadway Improvements - Guardrail and Fence Repair 2019 service contract; to authorize the expenditure of up to \$99,000.00 from the Street Construction Maintenance and Repair Fund for the modification; and to declare an emergency. (\$99,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 2373-2022 Accounting Template

Date	Ver.	Action By	Action	Result
9/15/2022	1	CITY CLERK	Attest	
9/14/2022	1	MAYOR	Signed	
9/12/2022	1	COUNCIL PRESIDENT	Signed	
9/12/2022	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This ordinance authorizes the Director of Public Service to modify and increase an existing service contract with M P Dory Company for the Roadway Improvements - Guardrail and Fence Repair 2019 service contract in an amount up to \$99,000.00.

The Department of Public Service is responsible for maintaining the City's roadway system in a safe manner. A guardrail and fence repair contract is needed to restore accident-damaged guardrail and fence, replace deteriorating structures, and install new structures throughout the entire City of Columbus network.

Ordinance 3132-2019 authorized the Director of Public Service to enter into a contract through the bid process with M P Dory Company for the Roadway Improvements - Guardrail and Fence Repair 2019 service contract. Language included in the contract reserved the right to extend the contract and funding on a year-to-year basis through December 31, 2022, with the concurrence of the contractor.

Ordinance 2153-2020 and Ordinance 2957-2021 authorized the Director of Public Service to enter into contract modification 1 and contract modification 2 respectively with M P Dory Company for the Roadway Improvements - Guardrail and Fence Repair 2019 service contract.

The work for this ordinance, modification 3, will consist of a continuation of PO209796, PO252370, and PO303764 and other such work as may be necessary to complete the contract.

The original contract amount:	\$250,000.00	(PO209796, Ord. 3132-2019)
The total of Modification No. 1:	\$250,000.00	(PO252370, Ord. 2153-2020)
The total of Modification No. 2,:	\$275,000.00	(PO303764, Ord. 2957-2021)
The total of Modification No. 3:	<u>\$99,000.00</u>	(This Ordinance)
The contract amount including all modifications:	\$874,000.00	

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against M P Dory Company.

2. CONTRACT MODIFICATION

This is an planned modification that is necessary to repair deteriorated and damaged structures which exceeded the dollar amount of this year contract renewal. Available funds on the current renewal are not anticipated to be adequate to repair public safety issues before the next contract begins. This modification will provide the funding needed for repairs and prevent a lapse between the current contract and the next one. It was deemed to be more cost efficient to modify the existing contract than to bid this part of the work.

3. CONTRACT COMPLIANCE

The contract compliance number for M P Dory Company is CC004709 and expires October 29, 2023.

4. PRE-QUALIFICATION STATUS

This is a service contract therefore pre-qualification is not required.

5. FISCAL IMPACT

This is a budgeted expense within Fund 2265, the Street Construction Maintenance and Repair Fund. Funds are appropriated.

6. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM

This expenditure is to modify a contract that was put in place prior to the implementation of this program and as such is not a part of the program.

7. EMERGENCY DESIGNATION

Emergency action is requested to prevent a lapse in this contract that ensures the safety of the traveling public.

To authorize the Director of Public Service to enter into a contract modification with M P Dory Company in connection with the Roadway Improvements - Guardrail and Fence Repair 2019 service contract; to authorize the expenditure of up to \$99,000.00 from the Street Construction Maintenance and Repair Fund for the modification; and to declare an emergency. (\$99,000.00)

WHEREAS, contract PO209796 with M P Dory Company in the amount of \$250,000.00 was authorized by Ordinance 3132-2019 for the Roadway Improvements - Guardrail and Fence Repair 2019 service contract; and

WHEREAS, contract modification PO252370 with M P Dory Company in the amount of \$250,000.00 was authorized by Ordinance 2153-2020 for the Roadway Improvements - Guardrail and Fence Repair 2019 service contract; and

WHEREAS, contract modification PO303764, with M P Dory Company in the amount of \$275,000.00 was authorized by Ordinance 2957-2021 for the Roadway Improvements - Guardrail and Fence Repair 2019 service contract; and

WHEREAS, it has become necessary to modify the contract in an amount up to \$99,000.00 for the purpose of performing additional construction work in the Roadway Improvements - Guardrail and Fence Repair 2019 service contract; and

WHEREAS, it is necessary to provide for contract payment for that project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to enter into a contract modification with M P Dory Company to prevent a lapse in this contract that ensures the safety of the travelling public, 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 Director of Public Service be and hereby is authorized to enter into a contract modification with M P Dory Company, 2001 Integrity Drive South, Columbus, Ohio, 43209, for the Roadway Improvements - Guardrail and Fence Repair 2019 service contract in the amount of \$99,000.00, or so much thereof as may be needed.

SECTION 2. That the expenditure of \$99,000.00 or so much thereof as may be needed, is hereby authorized in Fund 2265 (Streets Construction Maintenance and Repair Fund), Dept-Div 5911 (Infrastructure Management), in Object Class 03 (Purchase Services) per the accounting codes in the attachment to this ordinance.

SECTION 3. Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

SECTION 4. 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 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.