



## Legislation Details (With Text)

**File #:** 3163-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/7/2022      **In control:** Public Service & Transportation Committee

**On agenda:** 12/5/2022      **Final action:** 12/7/2022

**Title:** To amend the 2022 Capital Improvement Budget; to authorize the Director of Public Service to enter into a contract modification with VS Engineering, Inc. in connection with the Pedestrian Safety - General Engineering 2022-2 project; to authorize the expenditure of up to \$125,000.00 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$125,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 3163-2022 accounting template.pdf

Date	Ver.	Action By	Action	Result
12/7/2022	1	CITY CLERK	Attest	
12/6/2022	1	MAYOR	Signed	
12/5/2022	1	COUNCIL PRESIDENT	Signed	
12/5/2022	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to modify a professional services contract with VS Engineering, Inc. to add additional funds for design of the Pedestrian Safety - General Engineering 2022-2 project.

Ordinance 0384-2022 authorized the Director of Public Service to enter into a professional services contract with VS Engineering, Inc. for the Pedestrian Safety - General Engineering 2022-2 project. The intent of this project is to provide continuing, contractual access to additional resources that are necessary to perform professional engineering and survey services as well as provide technical expertise for the Department to implement sidewalk and bikeway projects.

This ordinance authorizes the Director of Public Service to modify the contract in the amount of \$125,000.00. This modification is necessary to cover the negotiated fee for the project. The original contract was based on an estimate before a scope and task list was finalized. It was deemed to be more cost efficient to modify the existing contract than to bid this part of the work.

The original contract amount:	\$361,927.55	(PO319186/PO319193, Ord. 0384-2022)
The total of Modification No. 1:	<u>\$125,000.00</u>	<u>(This Ordinance)</u>
The contract amount including all modifications:	\$486,927.55	

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against VS Engineering, Inc.

### 2. CONTRACT COMPLIANCE

The contract compliance number for VS Engineering, Inc. is CC031373 and expires 6/25/2022. The consultant will need to renew their contract compliance number before the contract modification can be executed.

### 3. FISCAL IMPACT

Funding in the amount of \$125,000.00 is available within the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2022 Capital Improvements Budget is necessary to align funding for these project expenditures. Funds are appropriated.

#### **4. 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 the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise program and as such is not a part of the program.

#### **5. EMERGENCY DESIGNATION**

Emergency action is requested to complete the design of the project in a timely manner, to preserve the safety of the traveling public.

To amend the 2022 Capital Improvement Budget; to authorize the Director of Public Service to enter into a contract modification with VS Engineering, Inc. in connection with the Pedestrian Safety - General Engineering 2022-2 project; to authorize the expenditure of up to \$125,000.00 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$125,000.00)

**WHEREAS**, contract no. PO319186/PO319193 with VS Engineering, Inc., in the amount of \$361,927.55, was authorized by ordinance no. 0384-2022; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$125,000.00 and provide additional funds for the Pedestrian Safety - General Engineering 2022-2 project; and

**WHEREAS**, it is necessary to amend the 2022 Capital Improvement Budget to provide funding for project expenditures; and

**WHEREAS**, it is necessary expend funds relative to the project; and

**WHEREAS**, this expenditure is to modify a contract that was put in place prior to the implementation of the City of Columbus MBE/WBE Program and as such is not a part of the program; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director to enter into a contract modification with VS Engineering, Inc. to so that resources are available to complete upcoming sidewalk project, to preserve the safety of the traveling 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 2022 Capital Improvements Budget authorized by Ordinance 1896-2022 be amended to establish sufficient authority for this project:

#### **Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

7704 / P590105-100089 / Pedestrian Safety Improvements - Sidewalk NOV (Voted Carryover) / \$300,000.00 / (\$125,000.00) / \$175,000.00

7704 / P590105-100471 / Pedestrian Safety - General Engineering 2022-2 (Voted Carryover) / \$0.00 / \$125,000.00 / \$125,000.00

**SECTION 2.** That the Director of Public Service be, and hereby is, authorized to enter into a contract modification with VS Engineering, Inc. located at 445 Hutchinson Avenue, Suite 695, Columbus, OH 43235, for the Pedestrian Safety - General Engineering 2022-2 project in the amount of \$125,000.00, or so much thereof as may be needed, in accordance

with the plans and specifications on file in the Department of Public Service, which are hereby approved.

**SECTION 3.** That the expenditure of \$125,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5911 (Infrastructure Management), Project P590105-100471 (Pedestrian Safety - General Engineering 2022-2), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 4.** 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 5.** 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 6.** 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 7.** 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.