



## Legislation Text

File #: 2827-2017, Version: 1

### 1. BACKGROUND

The purpose of this ordinance is to amend Ordinance 0483-2017 in order to provide the needed funding for the Intersection Improvements - James Road at Livingston Avenue design contract with American Structurepoint, Inc.

Ordinance 0483-2017 authorized the Director of Public Service to accept Ohio Department of Transportation (ODOT) Highway Safety Program grant funds and enter into a contract with American Structurepoint, Inc., in the amount of up to \$284,648.89 for the Intersection Improvements - James Road at Livingston Avenue project. The amount originally legislated was based upon a budgetary amount which has turned out to be significantly less than the needed funding.

An updated grant agreement between ODOT and the Department of Public Service has since been executed, with ODOT contributing additional funding to the project. Due to the increase in the project cost and the increase in the funding ODOT is contributing, it is necessary to amend the amount of the original ordinance from \$284,648.89 to \$429,898.00 before a contract can be executed with American Structurepoint. ODOT also plans to contribute additional funding near the start of construction to add funds for engineering services that will be needed during construction. A planned contract modification with American Structurepoint will be needed at that time to add the funds to their contract.

### 2. FISCAL IMPACT

The revised total amount of approved funding per the ODOT grant agreement is \$444,222.00, an increase of \$159,573.51 from the original grant amount of \$284,648.89. The amount of the approved contract is \$429,898.00, with the remaining balance of \$14,324.00 subject to future encumbrance. Funding for the Department of Public Service cost share amount of 10% of the contract price (\$42,989.80) is available in Fund 7704, Streets and Highways Bond Fund. Funding for the 90% ODOT cost share amount of \$386,908.20 is available in Fund 7765, the Federal Transportation Grant Fund.

### 3. EMERGENCY DESIGNATION

Emergency action is requested to prevent additional delays in the project, allowing the planned safety improvements to be implemented as soon as possible.

To amend Ordinance 0483-2017 to revise the amount of funding needed to contract with American Structurepoint for design of the the Intersection Improvements - James Road at Livingston Avenue project; and to declare an emergency. (\$145,249.11)

**WHEREAS**, Ordinance 0483-2017 authorized the Director of Public Service to accept an ODOT Highway Safety Program grant, appropriate \$256,184.00 within the Federal-State Highway Engineering Fund, enter into a contract with American Structurepoint, Inc., and to expend funds up to \$256,184.00 from the Federal-State Highway Engineering Fund and \$28,464.89 from the Streets and Highways Bond Fund for the purpose of providing funding for engineering, design, technical, and surveying services in connection with the Intersection Improvements - James Road at Livingston Avenue project, and declared an emergency; and

**WHEREAS**, after passage of Ordinance 0483-2017 an updated fee proposal caused an increase in costs to the project; and

**WHEREAS**, an emergency exists in the Department of Public Service in that it is immediately necessary to provide additional funding to prevent additional delays in the completion of the contract, allowing the planned safety improvements to be implemented 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 Ordinance 0483-2017 be and hereby is amended as follows:

(fiscal impact)

Ordinance 2981-2016 authorized the Director of Public Service to expend the Highway Safety Program grant from the Ohio Department of Transportation, execute project agreements for approved projects, and issue refunds if needed after final accounting is performed. This ordinance authorizes the acceptance and appropriation of the grant funds. Thus, funding for this project is as follows:

<del>\$284,649.00</del>	<b>\$429,898.00</b>	Contract amount
<del>\$256,184.00</del>	<b>\$386,908.20</b>	ODOT grant - Federal Transportation Grant Fund (7765)
<del>\$28,465.00</del>	<b>\$42,989.80</b>	DPS share - Street and Highway Bonds Fund (7704)

(title)

To authorize the Director of Public Service to accept an ODOT Highway Safety Program grant; to authorize the City Auditor to appropriate ~~\$256,184.00~~ **\$386,908.20** within the Federal-State Highway Engineering Fund; to authorize the Director of Public Service to enter into contract with American Structurepoint for engineering, design, technical, and surveying services in connection with the Intersection Improvements - James Road at Livingston Avenue project; to authorize the expenditure of up to ~~\$256,184.00~~ **\$386,908.20** from the Federal-State Highway Engineering Fund and ~~\$28,465.00~~ **\$42,989.80** from the Street and Highway Bonds Fund for this contract; and to declare an emergency. ( ~~\$284,649.00~~ **\$429,898.00** )

(body)

**WHEREAS**, it is necessary to enter into a professional service contract with American Structurepoint, Inc. in the amount of up to ~~\$284,649.00~~ **\$429,898.00** to provide for engineering and design services for improvements for the Intersection Improvements - James Road at Livingston Avenue project; and

(section 1)

That the Director of Public Service be and is hereby authorized to accept Highway Safety Program grant funds of ~~\$256,184.00~~ **\$386,908.20** from the Ohio Department of Transportation.

(section 2)

That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2017, the sum ~~\$256,184.00~~ **\$386,908.20** is appropriated in Fund 7765 Federal-State Highway Engineering Fund in Object Class 06 Capital Outlay per the accounting codes in the attachment to this Ordinance.

(section 3)

That the Director of Public Service be and is hereby authorized to enter into contract with American Structurepoint, Inc. for the Intersection Improvements - James Road at Livingston Avenue project, also known as FRA-161-11.48 (PID Number 97169) for engineering and design surveying services in an amount of up to ~~\$284,649.00~~ **\$429,898.00**.

(section 4)

That the expenditure of ~~\$256,184.00~~ **\$386,908.20**, or so much thereof as may be needed, is hereby authorized in Fund 7765 Federal-State Highway Engineering Fund, in Object Level 06 Capital Outlay per the accounting codes in the attachment to this Ordinance.

(section 5)

That the expenditure of ~~\$28,465.00~~ **\$42,989.80** or so much thereof as may be needed, is hereby authorized in Fund 7704 Streets and Highways Bond Fund, in Object Level 06 Capital Outlay per the accounting codes in the attachment to this Ordinance.

**SECTION 2.** 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.