



## Legislation Details (With Text)

**File #:** 1076-2022      **Version:** 1

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

**File created:** 4/6/2022      **In control:** Recreation & Parks Committee

**On agenda:** 7/25/2022      **Final action:** 7/27/2022

**Title:** To authorize the Director of Recreation and Parks to modify an existing contract with The Righter Company for the Alum Creek Trail - Johnstown Road Eastside Connector Project; to authorize the transfer of \$280,000.00 within the Recreation and Parks Voted Bond Fund, to authorize the amendment of the 2021 Capital Improvements Budget; to authorize the expenditure of \$280,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$280,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Legislation - Alum Creek Trail - Johnstown Road Eastside Connector Construction Modification - FINAL - ATTACHMENT

Date	Ver.	Action By	Action	Result
7/27/2022	1	CITY CLERK	Attest	
7/26/2022	1	ACTING MAYOR	Signed	
7/25/2022	1	COUNCIL PRESIDENT	Signed	
7/25/2022	1	Columbus City Council	Approved	Pass

**Background:** This ordinance authorizes the Director of the Recreation and Parks Department to modify an existing contract with The Righter Company for the Alum Creek Trail - Johnstown Road Eastside Connector Project. The modification amount being authorized by this ordinance is \$280,000.00.

In 2014, the Recreation and Parks Department was awarded federal grant funding from MORPC (Mid-Ohio Regional Planning Commission), to be administered by the Ohio Department of Transportation and identified as project PID 99828. These grant funds were to support the construction of this project, improving safety and access to the Alum Creek Trail for the East Columbus Krumm Park Community. The project includes a trail from the Alum Creek Trail, near Ohio Dominican University, to Johnstown Road and Cassady Avenue. The one mile project also includes walking and biking improvements along Johnstown Road and 10<sup>th</sup> Avenue, connecting to Krumm Park and William Adams Community Center. The project includes a separated trail, bike lanes, modifications to an existing trail bridge, and safety improvements for the neighborhood to connect to the regional trail. This East Columbus neighborhood is bounded by 5<sup>th</sup> Avenue to I-670 and Stelzer Road to Alum Creek. Over 4,000 residents and employees will be within a 10 minute walk from this project. The connector opens up access to over 126 miles of regional trail network. A future section of this project will extend the bike lanes along Johnstown Road to downtown Gahanna.

This ordinance is requesting \$280,000.00 to modify the construction contract with Righter Company to cover change orders during the project construction due to unforeseen field conditions, owner requests, and additional construction materials needed to complete the project. This additional funding request is eligible to be reimbursed from the MORPC grant funding noted herein. It is not in the City's best interest to award additional work through another procurement process because The Righter Company has already performed the change order work in order to keep the project on schedule. The modification amount was determined based on the cost of the completed and anticipated change orders, which were established by contract prices.

**Principal Parties:**

The Righter Company, Inc.

2424 Harrison Road

Columbus, OH 43204

Michael D. Killilea, President, 614-272-9700

Contract Compliance Number, Tax ID: 004433, 31-0889208

Contract Compliance Expiration Date: November 22, 2023

**Emergency Justification:** Emergency action is requested as construction work is currently taking place so that the contractor can complete the work on schedule.

**Benefits to the Public:** Cycling, walking, running, and active trail uses provide highly recognized year round benefits to urban lifestyles. Access to trails and to key destinations is one of the top rated priorities noted by East Columbus residents.

**Community Input/Issues:** The Recreation and Parks Department conducted extensive public involvement during plan development with neighborhood public open houses, letters of support from the community, the City of Gahanna, and social media feedback from trail users around the region.

**Area(s) Affected:** East Columbus (50) - All Columbus and regional trail users will benefit from these improvements.

**Master Plan Relation:** This project will support the Recreation and Parks Master Plan by improving access to trails and greenways corridors. It provides safe connections to the regional trail network for nearby neighborhoods. The project will provide an overall safer trail and access to active mode of transportation for the nearby community.

**Fiscal Impact:** The expenditure of \$ 2,282,579.87 was legislated for the Alum Creek Trail - Johnstown Road East Side Connector construction contract by Ordinance 0918-2020. This ordinance will provide funding that will modify the previously authorized amount by \$280,000.00. \$280,000.00 is budgeted and available in the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of this contract modification. The aggregate total amount authorized, including this modification, is \$2,562,579.87.

To authorize the Director of Recreation and Parks to modify an existing contract with The Righter Company for the Alum Creek Trail - Johnstown Road Eastside Connector Project; to authorize the transfer of \$280,000.00 within the Recreation and Parks Voted Bond Fund, to authorize the amendment of the 2021 Capital Improvements Budget; to authorize the expenditure of \$280,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$280,000.00)

**WHEREAS,** it is necessary to authorize the Director of the Recreation and Parks to modify an existing contract with The Righter Company for the Alum Creek Trail - Johnstown Road Eastside Connector Project; and

**WHEREAS,** it is necessary to authorize the transfer of \$280,000.00 within the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS,** it is necessary to authorize the amendment of the 2021 Capital Improvements Budget Ordinance 2707-2021 in order to provide sufficient budget authority for this and future projects; and

**WHEREAS,** it is necessary to authorize the expenditure of \$280,000.00 from the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS,** an emergency exists in the usual daily operations of the Recreation and Parks Department in that it is immediately necessary to authorize the Director to modify an existing contract with The Righter Company for the Alum

Creek Trail - Johnstown Road East Side Connector as construction work is currently taking place so that the contractor can complete the work on schedule, all for the preservation of the public health, peace, property, safety, and welfare and, **NOW, THEREFORE**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Recreation and Parks be and is hereby authorized to modify an existing contract with The Righter Company for the Alum Creek Trail - Johnstown Road Eastside Connector Project.

**SECTION 2.** 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 3.** 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 4.** 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 5.** That the transfer of \$280,000.00 or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Bond Fund 7702 per the account codes in the attachment to this ordinance.

**SECTION 6.** That the 2021 Capital Improvements Budget Ordinance 2707-2021 is hereby amended as follows in order to provide sufficient budget authority for this ordinance and future projects.

**Fund / Project / Project Name / Current / Change / Amended**

Fund 7702 / P512000-100000; New Development - Misc. (Voted Carryover); \$705,237 / (\$280,000) / \$425,237

Fund 7702; P510915-512000; Alum Creek Trail - Johnstown Road East Side Connector Grant Match (Voted Carryover) / \$0 / \$280,000 / \$280,000

**SECTION 7.** For the purpose stated in Section 1, the expenditure of \$280,000.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Voted Bond Fund 7702 in object class 06 Capital Outlay per the accounting codes in the attachments to this ordinance.

**SECTION 8.** 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.