



## Legislation Text

File #: 2286-2022, Version: 1

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to modify and increase an existing contract with Shelly & Sands, Inc. for the Roadway - Shook Road Phase II project in an amount up to \$88,689.04, and to provide payment for additional construction administration and inspection services up to \$13,303.36.

Ordinance No. 2296-2021 authorized the Director of Public Service to enter into a contract with Shelly & Sands, Inc. for the construction of the Roadway - Shook Road Phase II project and to provide for construction administration and inspection services. This contract includes the widening of Shook Road (north of State Route 317) to provide a southbound right turn lane and widen State Route 317 to provide both a westbound and eastbound left turn lane at the Shook Road intersection. Sidewalk along both sides of Shook Road will be extended from State Route 317 north to the existing sidewalk limits. A new box span signal will be installed at the intersection of State Route 317 and Shook Road.

The work for Modification No. 1 will consist of additional pavement to accommodate traffic during construction and additional driveway construction, and other such work as may be necessary to complete the contract.

The original contract amount, no inspection:	\$1,680,256.95	(PO298926, Ord. 2296-2021)
The total of Modification No. 1, no inspection:	\$ 88,689.04	(This Ordinance)
The contract amount including all modifications:	\$1,768,945.99	

The amount of construction administration and inspection services will be \$13,303.36. The total legislated amount is \$101,992.40 for this modification.

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

### 2. UNPLANNED MODIFICATION

This is an unplanned modification that is necessary to cover the cost of unforeseen work needed for the construction of a large commercial driveway on the south and eastern extent of the project. The impacts of this include revisions to the drainage system and a large volume of reconstruction to provide a proper tie-in. The existing project budget didn't account for this extra work item. There was also a change required in the mode of transportation due to the existing pavement widths and the original scheme provided in the plans. 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 Shelly & Sands, Inc. is CC006043 and expires 2/3/2024.

### 4. PRE-QUALIFICATION STATUS

Shelly & Sands, Inc. and all proposed trades subcontractors have met Code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

### 5. FISCAL IMPACT

Funds in the amount of \$82,727.00 are available and appropriated within the Streets and Highways Bond Fund, Fund 7704. The remaining funds of \$19,265.40 are available and appropriated within the Northland and Other Acquisitions Fund, Fund 7735. An amendment to the 2022 Capital Improvements Budget and a transfer of funds is required to establish sufficient budget authority for the project.

## 6. EMERGENCY DESIGNATION

Emergency action is requested to prevent unnecessary delays in the completion of Modification No. 1 for the Roadway - Shook Road Phase II project to facilitate the completion of planned improvements in a timely manner, to ensure the safety of the traveling public.

To amend the 2022 Capital Improvements Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a contract modification with Shelly & Sands, Inc. in connection with the Roadway - Shook Road Phase II project; to authorize the expenditure of up to \$101,992.40 from the Streets and Highways Bond Fund (7704) and the Northland and Other Acquisitions Fund (7735); and to declare an emergency. (\$101,992.40)

**WHEREAS**, contract no. PO298926 with Shelly & Sands, Inc., in the amount of \$1,680,256.95, was authorized by ordinance no. 2296-2021; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$88,689.04 for the purpose of performing additional construction work in the Roadway - Shook Road Phase II projects; and

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

**WHEREAS**, it is necessary to provide payment for additional construction administration and inspection services up to \$13,303.36; and

**WHEREAS**, it is necessary to amend the 2022 Capital Improvement Budget and transfer cash to align funding for project expenditures; 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 Shelly & Sands, Inc. to prevent delays in the construction schedule, to ensure 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 no. 1896-2022 be amended to establish sufficient authority for this project:

#### **Fund / Project / Project Name / Current C.I.B. / Amendment Amount / C.I.B. as Amended**

7704 / P440104-100019 / Misc Econ Development - East Franklinton-Lucas & Cherry Extensions (Voted Carryover) / \$82,727.00 / (\$82,727.00) / \$0.00

7735 / P590415-100024 / Econ & Comm Development - Parsons, Chapel & Gustavus Improvements (Unvoted Carryover) / \$44,425.00 / (\$19,266.00) / \$25,159.00

7704 / P531006-100000 / Roadway - Shook Road Phase II (Voted Carryover) / \$0.00 / \$82,727.00 / \$82,727.00

7735 / P531006-100000 / Roadway - Shook Road Phase II (Unvoted Carryover) / \$0.00 / \$19,266.00 / \$19,266.00

**SECTION 2.** That the transfer of \$82,727.00 or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P440104-100019 (Misc Econ Development - East Franklinton-Lucas & Cherry Extensions), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), P531006-100000 (Roadway - Shook Road Phase II), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$19,265.40 or so much thereof as may be needed, is hereby authorized within Fund 7735 (Northland and Other Acquisitions Fund), from Dept-Div 4402 (Economic Development), Project P590415-100024

(Econ & Comm Development - Parsons, Chapel & Gustavus Improvements), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), P531006-100000 (Roadway - Shook Road Phase II), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Director of Public Service be and hereby is authorized to enter into a contract modification with Shelly & Sands, Inc. at 1515 Harmon Avenue, Columbus Ohio 43223, for the Roadway - Shook Road Phase II project in the amount of \$88,689.04, 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; and to pay for necessary additional construction administration and inspection costs association with the project modification up to a maximum of \$13,303.36.

**SECTION 5.** That the expenditure of \$82,727.00 or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction), Project P531006-100000 (Roadway - Shook Road Phase II), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That the expenditure of \$19,265.40 or so much thereof as may be needed, is hereby authorized in Fund 7735 (Northland and Other Acquisitions Fund), Dept-Div 5912 (Design and Construction), Project P531006-100000 (Roadway - Shook Road Phase II), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 7.** 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 8.** 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 9.** 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 10.** 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.