



## Legislation Details (With Text)

**File #:** 1981-2023      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/26/2023      **In control:** Finance Committee  
**On agenda:** 7/10/2023      **Final action:** 7/13/2023

**Title:** To authorize the Director of Finance and Management, on behalf of the Office of Construction Management, to enter into a construction contract with Setterlin Building Company for the CDBG Neighborhood Facilities Renovation - The Refuge Project; to authorize the appropriation and expenditure of funds in an amount not to exceed to \$1,013,578.00 within the Community Development Block Grant Fund (CDBG); and to declare an emergency. (\$1,013,578.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 1981-2023 Funding

Date	Ver.	Action By	Action	Result
7/13/2023	1	CITY CLERK	Attest	
7/11/2023	1	MAYOR	Signed	
7/10/2023	1	COUNCIL PRESIDENT	Signed	
7/10/2023	1	Columbus City Council	Approved	Pass

**1. BACKGROUND:** This legislation authorizes the Director of Finance and Management to enter into a construction contract, on behalf of the Office of Construction Management, with Setterlin Building Company, for the CDBG Neighborhood Facilities Renovation - The Refuge Project, in the amount of \$1,013,578.00.

The Refuge, located at 1601 Sullivant Avenue, Columbus, Ohio 43223, is a non-profit facility to serve men with addiction. It is a 3-story, 6,200 S.F. facility. The building contains residential units, kitchen, and office space. The scope of the project includes replacing exterior metal railing system, repair concrete balconies, refurbishing exterior steel stair and railings, adding exterior windows, adding interior doors, renovating the kitchen for commercial use, and other such work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, and City of Columbus Construction and Material Specifications.

**2. CONSTRUCTION CONTRACT AWARD:** The project was let by the Office of Construction Management via Vendor Services and Bid Express. Three bids were opened on June 20, 2023 from the following vendors:

1. Guzman's General Contracting      \$499,000.00 (EDGE {no City certification})
2. Black Bronco Construction      \$848,160.00 (MAJ)
3. Setterlin Building Company      \$1,013,578.00 (MAJ)

The bids from Guzman's General Contracting and Black Bronco Construction were deemed non-responsive as they were not pre-qualified to bid on City construction projects.

Setterlin Building Company's bid was deemed the lowest, best, most responsive and responsible bid in the amount of \$1,013,578.00. Their Contract Compliance Number is 4372 (expires 9/19/24, Majority-owned firm). Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Setterlin

Building Company.

**3. MINORITY CONTRACT PARTICIPATION:** Of the 470 vendors solicited, 167 were Minority-owned, 2 Veteran-owned, 287 Small Business-owned, and 106 Women-owned. The ODI-assigned goal for this project is 20%. Setterlin's Request for MBE/WBE Goal Waiver and Documentation of Good Faith Effort was approved by the Office of Diversity & Inclusion.

**4. EMERGENCY DESIGNATION:** Construction needs to be finished by November 2, 2023 in order to meet the requirements of the CDBG grant. Emergency designation will eliminate 6 weeks of downtime. Materials should be ordered as soon as possible due to current supply-chain issues. Having the necessary materials on order will enable the contractor to mobilize and finish construction by the November 2, 2023 deadline.

**5. FISCAL IMPACT:** Funding for this project will come from the Community Development Block Grant (CDBG) under the U.S. Department of Housing and Urban Development (HUD). The Community Development Block Grant (CDBG) Entitlement Program provides annual grants on a formula basis to cities and counties to develop viable urban communities. An appropriation of funds will be needed to align this Ordinance with the Draft FY 2023 Annual Action Plan as approved by City Council through the adoption of Ordinance No. 3353-2022.

The appropriation and expenditure of \$1,013,578.00 will be needed within the Community Development Block Grant (CDBG) Fund.

To authorize the Director of Finance and Management, on behalf of the Office of Construction Management, to enter into a construction contract with Setterlin Building Company for the CDBG Neighborhood Facilities Renovation - The Refuge Project; to authorize the appropriation and expenditure of funds in an amount not to exceed to \$1,013,578.00 within the Community Development Block Grant Fund (CDBG); and to declare an emergency. (\$1,013,578.00)

**WHEREAS**, the City desires to use funds from its Community Development Block Grant Fund ("CDBG") to renovate a 3-story, 6,200 square foot building located at 1601 Sullivant Avenue, Columbus, Ohio 43223, for the Refuge Project, which is a non-profit facility to serve men with addiction; and

**WHEREAS**, the building contains residential units, kitchen, and office space. The scope of the project includes replacing exterior metal railing system, repair concrete balconies, refurbishing exterior steel stair and railings, adding exterior windows, adding interior doors, renovating the kitchen for commercial use, and other such work as may be necessary to complete the contract, in accordance with the drawings, technical specifications, and City of Columbus Construction and Material Specifications; and

**WHEREAS**, three bids for the CDBG Neighborhood Facilities Renovation - The Refuge Project were received and publicly opened in the office of the Director of Finance and Management on June 20, 2023; and

**WHEREAS**, the two lowest bids were deemed non-responsive for not being prequalified to bid on City projects; and

**WHEREAS**, the lowest, best, most responsive and responsible bid was from Setterlin Building Company in the amount of \$1,013,578.00; and

**WHEREAS**, it is necessary to authorize the Director of Finance and Management to award and execute a construction contract for the CDBG Neighborhood Facilities Renovation - The Refuge Project with the Setterlin Building Company; and

**WHEREAS**, it is necessary to authorize the appropriation and expenditure of \$1,013,578.00 from the Community Development Block Grant Fund included in the Draft 2023 Annual Action Plan adopted under Ordinance No. 3353-2022; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Finance and Management, Office of Construction Management, in that it is immediately necessary to authorize the Director of Finance and Management to enter into a construction contract for the CDBG Neighborhood Facilities Renovation - The Refuge Project, with the Setterlin Building Company in order to reduce project down time and expedite material orders thereby enabling construction to be completed by the November 2, 2023 deadline of the CDBG grant; and for the immediate preservation of the public Safety, peace, property and safety; now therefore,

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

**SECTION 1.** That the Director of Finance and Management is authorized to enter into a construction contract, on behalf of the Office of Construction Management, with Setterlin Building Company, for the CDBG Neighborhood Facilities Renovation - The Refuge Project, in an amount up to \$1,013,578.00.

**SECTION 2.** That the appropriation and expenditure not more than \$1,013,578.00, or so much thereof as may be needed, is hereby authorized within the Community Development Block Grant Fund - Fund No. 2248, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the monies in the foregoing sections shall be paid upon order of the Director of Finance and Management, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 4.** That the funds necessary to carry out the purpose of this Ordinance are deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 5.** That the City Auditor is authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

**SECTION 6.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 7.** 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 8.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is 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.