



## Legislation Details (With Text)

**File #:** 1915-2023      **Version:** 1

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

**File created:** 6/20/2023      **In control:** Public Service & Transportation Committee

**On agenda:** 7/17/2023      **Final action:** 7/21/2023

**Title:** To authorize the Director of the Department of Public Service to enter into a contract modification with M P Dory Company for the Roadway Improvements - Guardrail and Fence Repair 2023 service project; to authorize the expenditure of not more than \$300,000.00 from the Street Construction Maintenance and Repair Fund for the project. (\$300,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD. 1915-2023 Acct Temp

Date	Ver.	Action By	Action	Result
7/21/2023	1	CITY CLERK	Attest	
7/20/2023	1	ACTING MAYOR	Signed	
7/17/2023	1	COUNCIL PRESIDENT	Signed	
7/17/2023	1	Columbus City Council	Approved	Pass
7/10/2023	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to modify an existing contract with M P Dory Company for the Roadway Improvements - Guardrail and Fence Repair 2022 service contract in an amount not to exceed \$300,000.00.

The Department of Public Service is responsible for maintaining the City's roadway system in a safe manner. A guardrail and fence repair contract is needed to restore accident-damaged guardrail and fence, replace deteriorating structures, and install new structures throughout the entire City of Columbus network.

Ordinance No. 2815-2022 authorized the Director of Public Service to enter into a contract with M P Dory Company for the Roadway Improvements - Guardrail and Fence Repair 2022 service contract. Language included in the contract reserved the right to extend the contract and funding with the concurrence of the contractor. This is the first contract modification of two that are permitted. The work performed to date for this project consists of restoring accident-damaged guardrail and fence, replacement of deteriorating structures, and installation of new structures as needed.

The original contract and subsequent modifications reserved the right to extend the contract and funding on a year-to-year basis until October 31, 2025, as stated in the bid documents. With this ordinance, the City is reserving the right to modify the contract and funding without restrictions on timing.

The work for modification 1 will consist of a continuation of PO363165 without restrictions to timing.

The original contract amount, no inspection:	\$300,000.00	(PO363165, Ord. 2815-2022)
The total of Modification No. 1, no inspection:	<u>\$300,000.00</u>	(This Ordinance)
The contract amount including all modifications:	\$600,000.00	

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no

findings against M P Dory Company.

## **2. CONTRACT COMPLIANCE**

The contract compliance number for M P Dory Company is CC004709 and expires 10/29/23.

## **3. PRE-QUALIFICATION STATUS**

This is a service contract so pre-qualification is not required.

## **4. FISCAL IMPACT**

This is a budgeted expense within Fund 2265, the Street Construction Maintenance and Repair Fund. Funds are appropriated.

## **5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was bid with a City of Columbus MBE/WBE Program goal of 8% as assigned by the City's Office of Diversity and Inclusion (ODI). Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the "City's Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual" and in the "City of Columbus MBE/WBE Program Special Provision" that were part of the bid documents for this contract.

To authorize the Director of the Department of Public Service to enter into a contract modification with M P Dory Company for the Roadway Improvements - Guardrail and Fence Repair 2023 service project; to authorize the expenditure of not more than \$300,000.00 from the Street Construction Maintenance and Repair Fund for the project. (\$300,000.00)

**WHEREAS**, contract PO363165 with M P Dory Company in the amount of \$300,000.00 ("Contract") was authorized by Ordinance No. 2815-2022 for the Roadway Improvements - Guardrail and Fence Repair 2022 service contract; and

**WHEREAS**, it has become necessary to modify the Contract; and

**WHEREAS**, the Department of Public Service and M P Dory both desire to renew and extend the Contract as permitted by Ordinance No. 2815-2022; and

**WHEREAS**, this is the first Contract modification of two that are authorized; and

**WHEREAS**, it is necessary to provide for payment for work performed as part of the Contract; and

**WHEREAS**, this Contract opportunity was submitted to the City's Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding; and

**WHEREAS**, this Contract was bid with a City of Columbus MBE/WBE Program goal of 8.0% as assigned by the City's Office of Diversity and Inclusion (ODI); and

**WHEREAS**, the original contract and subsequent modifications reserved the right to extend the contract and funding on a year-to-year bases until October 31, 2025, as stated in the bid documents. With this ordinance, the City is reserving the right to modify the Contract and funding without restrictions on timing; and

**WHEREAS**, failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance;  
**NOW, THEREFORE,**

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

**SECTION 1.** That the Director of Public Service be and hereby is authorized to enter into a contract modification with M P Dory Company, 2001 Integrity Drive South, Columbus, Ohio, 43209, for the Roadway Improvements - Guardrail

and Fence Repair 2023 service contract in the amount of \$300,000.00, or so much thereof as may be needed.

**SECTION 2.** That the expenditure of \$300,000.00 or so much thereof as may be needed, is hereby authorized in Fund 2265 (the Street Construction and Maintenance Repair Fund), Dept-Div 5911 (Infrastructure Management), in Object Class 03 (Purchased Services) per the accounting codes in the attachment to this ordinance.

**SECTION 3.** 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 4.** That the original contract and subsequent modifications reserved the right to extend the contract and funding on a year-to-year bases until October 31, 2025, as stated in the bid documents. With this ordinance, the City is reserving the right to modify the contract and funding without restrictions on timing.

**SECTION 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.