



## Legislation Details (With Text)

**File #:** 1103-2024      **Version:** 1

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

**File created:** 4/10/2024      **In control:** Public Service & Transportation Committee

**On agenda:** 5/6/2024      **Final action:** 5/9/2024

**Title:** To appropriate funds within the Brewery District TIF Fund; to transfer funds from the Brewery District TIF Fund to the Brewery District Fund; to appropriate funds within the Brewery District Fund; to authorize the Interim Director of Public Service to enter into contract with Decker Construction Company for the Roadway - W. Fulton Street - Short Street to Second Street project; to authorize the expenditure of \$790,153.07 from the Brewery District Fund; and to declare an emergency. (\$790,153.07)

**Sponsors:**

**Indexes:** MBE Participation

**Code sections:**

**Attachments:** 1. Ord. 1103-2024 Accounting Template\_sb, 2. Ord. 1103-2024 Map, 3. Ord 1103-2024 Subconsultants

Date	Ver.	Action By	Action	Result
5/9/2024	1	ACTING CITY CLERK	Attest	
5/7/2024	1	MAYOR	Signed	
5/6/2024	1	COUNCIL PRESIDENT	Signed	
5/6/2024	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance authorizes the Interim Director of Public Service to enter into contract with Decker Construction Company for the Roadway - W. Fulton Street - Short Street to Second Street project and to provide payment for construction, construction administration and inspection services.

This contract includes the reconstruction and relocation of W. Fulton Street between Short Street and Second Street - a length of 545 feet. The reconstruction includes work on curb, pavement, storm improvements, street lights and street trees, and other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents.

The estimated Notice to Proceed date is May 20, 2024. The project was let by the Office of Support Services through Vendor Services and Bid Express. Four bids were received on April 2, 2024, and tabulated as follows:

Company Name	Bid Amount	City/State	Majority/ODI Certification
Decker Construction Company	\$718,320.97	Columbus, OH	Majority
Complete General Construction	\$829,496.85	Columbus, OH	Majority
Cap-Stone and Associates, Inc.	\$864,335.51	Columbus, OH	WBE
Trucco Construction Company	\$901,719.39	Delaware, OH	Majority

Award is to be made to Decker Construction Company as the lowest responsive and responsible and best bidder for their bid of \$718,320.97. The amount of construction administration and inspection services will be \$71,832.10. The total legislated amount is \$790,153.07.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Decker Construction Company.

The certification of Decker Construction Company and all associated subcontractors was in good standing at the time the bid was awarded.

As part of their bid Decker Construction Company has proposed the following subcontractors to work on the project:

<u>Company Name</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
Griffin Pavement Striping, LLC	Columbus, Ohio	MAJ
Danbert Electrical Corporation	Plain City, Ohio	MAJ
M.P. Dory Co.	Columbus, Ohio	MAJ
Burley Trucking LLC	Columbus, Ohio	MBE
Garcia Surveyors, Inc.	Marysville, Ohio	MBE

## 2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for Decker Construction Company is CC04549 and expires 11/03/25.

## 3. PRE-QUALIFICATION STATUS

Decker Construction Company and all proposed subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

## 4. FISCAL IMPACT

Funding, in the amount of \$790,153.07, is available in Fund 4409 (Brewery District TIF Fund). Funds will need to be appropriated in Fund 4409, transferred to Fund 7740 (Brewery District Fund), and then appropriated in Fund 7740. A transfer of cash is needed to align spending with the proper project, and then appropriated in Fund 7740.

## 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 11% 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.

## 6. EMERGENCY DESIGNATION

Emergency action is requested in order to complete needed improvements at the earliest possible time to ensure the safety of the traveling public. Additionally, this project will be built in conjunction with the ODOT 4R/6R project currently under construction.

To appropriate funds within the Brewery District TIF Fund; to transfer funds from the Brewery District TIF Fund to the Brewery District Fund; to appropriate funds within the Brewery District Fund; to authorize the Interim Director of Public Service to enter into contract with Decker Construction Company for the Roadway - W. Fulton Street - Short Street to Second Street project; to authorize the expenditure of \$790,153.07 from the Brewery District Fund; and to declare an emergency. (\$790,153.07)

**WHEREAS**, the Department of Public Service is engaged in the Roadway - W. Fulton Street - Short Street to Second Street project; and

**WHEREAS**, the work for this project consists of the reconstruction and relocation of W. Fulton Street between Short Street and Second Street - a length of 545 feet including work on curb, pavement, storm improvements, street lights,

street trees, and other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents; and

**WHEREAS**, Decker Construction Company will be awarded the contract for the Roadway - W. Fulton Street - Short Street to Second Street project; and

**WHEREAS**, the Department of Public Service requires funding to be available for the Roadway - W. Fulton Street - Short Street to Second Street project for construction expenses along with construction administration and inspection services; and

**WHEREAS**, this ordinance authorizes funding in the amount of \$790,153.07 for that purpose through the Department of Development; and

**WHEREAS**, it is necessary to appropriate funds in Fund 4409 Brewery District TIF Fund for transfer and in Fund 7740 Brewery District Fund for expenditure; and

**WHEREAS**, it is necessary for Council to authorize a transfer of funds from Fund 4409 Brewery District TIF Fund to Fund 7740 Brewery District Fund to establish sufficient cash to pay for the project; 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 11% as assigned by the City's Office of Diversity and Inclusion (ODI); and

**WHEREAS**, failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance; 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 contract with Decker Construction Company to build the project in conjunction with the ODOT 4R/6R project currently under construction in order 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 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 ended December 31, 2024, the sum of \$790,153.07 is appropriated in Fund 4409 (Brewery District TIF Fund), Dept-Div 4402 (Economic Development), in Object Class 10 (Transfer Out Operating) per the account codes in the attachment to this ordinance.

**SECTION 2.** That the transfer of \$790,153.07 or so much thereof as may be needed, is hereby authorized from Fund 4409 (Brewery District TIF Fund), Dept-Div 4402 (Economic Development) to Fund 7740 (Brewery District Fund), Dept -Div 5912 (Design and Construction) per the account codes in the attachment to this ordinance.

**SECTION 3.** 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 ended December 31, 2024, the sum of \$790,153.07 is appropriated in Fund 7740 (Brewery District Fund), Dept-Div 5912 (Design and Construction), Project P531027-100000 (Roadway - W. Fulton Street - Short Street to Second Street), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Interim Director of Public Service be and is hereby authorized to enter into a construction services contract with Decker Construction Company, 3042 McKinley Avenue, Columbus, Ohio 43204, for the Roadway - W. Fulton Street - Short Street to Second Street project in the amount of up to \$718,320.97 in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to pay for necessary

construction administration and inspection costs associated with the project up to a maximum of \$71,832.10.

**SECTION 5.** That the expenditure of \$790,153.07, or so much thereof as may be needed, is hereby authorized in Fund 7740 (Brewery District Fund), Dept-Div 5912 (Design and Construction), Project P531027-100000 (Roadway - W. Fulton Street - Short Street to Second Street), Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 6.** 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 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 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 9.** 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.