



## Legislation Details (With Text)

**File #:** 1089-2024      **Version:** 1

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

**File created:** 4/9/2024      **In control:** Public Service & Transportation Committee

**On agenda:** 5/13/2024      **Final action:** 5/15/2024

**Title:** To transfer cash and appropriate funds within the East Broad Commercial TIF Capital Fund 7431; to authorize the Interim Director of Public Service to enter into a contract modification with TranSystems Corporation of Ohio in connection with the Arterial Street Rehabilitation - East Broad Street Widening project; to authorize the expenditure of up to \$50,000.00 for the contract modification from the East Broad Commercial TIF Capital Fund for the project; and to declare an emergency. (\$50,000.00)

**Sponsors:**

**Indexes:** MBE Participation, WBE Participation

**Code sections:**

**Attachments:** 1. Ord. 1089-2024 Accounting Template

Date	Ver.	Action By	Action	Result
5/15/2024	1	ACTING CITY CLERK	Attest	
5/14/2024	1	MAYOR	Signed	
5/13/2024	1	COUNCIL PRESIDENT PRO-TEM	Signed	
5/13/2024	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance authorizes the Interim Director of Public Service to modify a professional services contract with TranSystems Corporation of Ohio for design of the Arterial Street Rehabilitation - E. Broad Street Widening project in an amount up to \$50,000.00.

Ordinance 1454-2017 authorized the Director of Public Service to enter into a professional services contract with TranSystems Corporation of Ohio for the Arterial Street Rehabilitation - E. Broad Street Widening project in an amount of up to \$1,400,000.00. This contract was issued to design improvements to the East Broad Street Corridor from I-270 to Outerbelt Street. The \$1,400,000.00 approved in Ordinance 1454-2017 was the amount estimated to be needed to complete preliminary and final engineering for the project. The original contract amount was issued for \$406,826.72, the amount needed to complete preliminary engineering for the project.

Ordinance 1872-2019 authorized the Director of Public Service to modify the contract in the amount of \$20,000.00. This was an unplanned modification that was necessary to cover the cost of additional work needed on the project due to a hotel that was announced to be built within the project corridor. Additional traffic studies were needed to determine appropriate access management for the hotel. These studies were not included in the original scope of work for the project.

Ordinance 1174-2020 authorized the Director of Public Service to modify the contract in the amount of \$1,498,173.28. This was a planned modification that was necessary to perform final engineering to complete detailed design for the project.

Ordinance 1125-2022 authorized the Director of Public Service to modify the contract in the amount of \$199,778.56. This was an unplanned modification that is necessary to include: 1) additional research into an existing AT&T duct bank along E. Broad Street and preliminary studies into possible resolutions as well as 2) additional work associated with the final

right of way plans, additional lighting, pedestrian signals, and drive profiles.

Ordinance 0687-2023 authorized the Director of Public Service to modify the contract in the amount of \$100,000.00. This was an unplanned modification as a result of a decision to remove the stormwater basin from this project due to costs and potential complications and use the proposed regional basin for the project's stormwater needs.

**1.1 Amount of additional funds to be expended: \$50,000.00**

The original contract amount: 1454-2017)	\$406,826.72	(PO080529, Ord.
The total of Modification No. 1: 2019)	\$20,000.00	(PO225869, Ord. 1872-
The total of Modification No. 2: 2020)	\$1,498,173.28	(PO227935, Ord. 1174-
The total of Modification No. 3: 2022)	\$199,778.56	(PO327958, Ord. 1125-
The total of Modification No. 4: (PO377037, Ord. 0687-2023)		\$100,000.00
The total of Modification No. 5: Ordinance)	\$50,000.00	(This
The contract amount including all modifications:	\$2,274,778.56	

**1.2 Reasons additional goods/services could not be foreseen:**

This modification is required to cover the design updates related to the lighting design changes to the proposed drive to E. Broad Street from the Walgreens located at the intersection with McNaughten Road, and additional out-of-scope interconnect work west of Taylor Station Road.

**1.3 Reason other procurement processes are not used:**

It was deemed to be more cost efficient to modify the existing contract to have the company familiar with the project complete the design work rather than to bid this unplanned part of the work.

**1.4 How cost of modification was determined:**

The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal/contract.

Ordinance 2534-2022 authorized the Director of Public Service, on behalf of the City of Columbus, to submit applications to and execute grant agreements with the Mid-Ohio Regional Planning Commission relative to the Surface Transportation Block Grant Program, accept and expend awarded grant funds, and issued refunds, if necessary, for the Arterial Street Rehabilitation - E. Broad Street Widening project.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against TranSystems Corporation of Ohio.

**2. CONTRACT COMPLIANCE**

The contract compliance number for TranSystems Corporation of Ohio is CC007988 and expires 4/14/2024. The contract compliance number will be updated before council reads the ordinance.

**3. FISCAL IMPACT**

Funds for this project are available in Fund 7431 (E. Broad Commercial TIF Capital Fund). Funds will need to be transferred between projects within Fund 7431 and then appropriated for expenditure.

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

This expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise program and as such is not a part of the program

## 5. EMERGENCY DESIGNATION

Emergency action is requested in order to complete needed improvements at the earliest possible time and meet the requirements of the start date for the Mid-Ohio Regional Planning Commission funding award to avoid penalty and to ensure the safety of the traveling public.

To transfer cash and appropriate funds within the East Broad Commercial TIF Capital Fund 7431; to authorize the Interim Director of Public Service to enter into a contract modification with TranSystems Corporation of Ohio in connection with the Arterial Street Rehabilitation - East Broad Street Widening project; to authorize the expenditure of up to \$50,000.00 for the contract modification from the East Broad Commercial TIF Capital Fund for the project; and to declare an emergency. (\$50,000.00)

**WHEREAS**, the Department of Public Service is engaged in the Arterial Street Rehabilitation - E. Broad Street Widening project to implement improvements to the East Broad Street Corridor from I-270 to Outerbelt Street; and

**WHEREAS**, contract PO080529 with TranSystems Corporation of Ohio in the amount of \$406,826.72, was authorized by Ordinance 1454-2017 for professional engineering services for the Arterial Street Rehabilitation - E. Broad Street Widening project; and

**WHEREAS**, modification 1 in the amount of \$20,000.00 was authorized by Ordinance 1872-2019; and

**WHEREAS**, modification 2 in the amount of \$1,498,173.28 was authorized by Ordinance 1174-2020; and

**WHEREAS**, modification 3 in the amount of \$199,778.56 was authorized by Ordinance 1125-2022; and

**WHEREAS**, modification 4 in the amount of \$100,000.00 was authorized by Ordinance 0687-2023; and

**WHEREAS**, it is necessary to do a modification to the contract in an amount of up to \$50,000.00 to accommodate design updates related to lighting design changes; and

**WHEREAS**, funding for the contract modification is available within Fund 7431, E. Broad Commercial TIF Capital Fund; and

**WHEREAS**, funds will need to be transferred between projects within Fund 7431 and appropriated for expenditure; and

**WHEREAS**, it is necessary to pay for the services provided under the contract modification; 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 TranSystems Corporation of Ohio to allow these safety enhancements to be available for the traveling public at the earliest possible time and meet the requirements of the start date for the Mid-Ohio Regional Planning Commission funding award to avoid penalty, thereby preserving the public health, peace, safety, and welfare; **now, therefore**

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

**SECTION 1.** That the transfer of \$50,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7431 (E. Broad Commercial TIF Capital Fund), from Dept-Div 4402 (Economic Development), Project P431999-100000 (E. Broad TIF Unallocated), Object Class 99 (Intrafund Transfer) to Dept-Div 5912 (Division of Design and Construction), Project P530103-100061 (Arterial Street Rehabilitation - E. Broad Street Widening), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 2.** 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 \$50,000.00 is appropriated in Fund 7431 (E. Broad Commercial TIF Capital Fund), Dept-Div 5912 (Division of Design

and Construction), Project P530103-100061 (Arterial Street Rehabilitation - E. Broad Street Widening), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Interim Director of Public Service be, and hereby is, authorized to enter into a contract modification with TranSystems Corporation of Ohio, 400 W. Nationwide Blvd, Suite 225, Columbus, Ohio, 43215, for the Arterial Street Rehabilitation - E. Broad Street Widening project in the amount of \$50,000.00, 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.

**SECTION 4.** That the expenditure of \$50,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7431 (E. Broad Commercial TIF Capital Fund), Dept-Div 5912 (Division of Design and Construction), Project P530103-100061 (Arterial Street Rehabilitation - E. Broad Street Widening), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 5.** 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 6.** 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 7.** 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 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.