



## Legislation Details (With Text)

**File #:** 0973-2017      **Version:** 1

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

**File created:** 4/4/2017      **In control:** Recreation & Parks Committee

**On agenda:** 5/15/2017      **Final action:** 5/18/2017

**Title:** To authorize the Director of Recreation and Parks to enter into contract with McDaniel's Construction Corp., Inc. for the first phase of construction to renovate and return water to the Franklin Park Cascades; to authorize the expenditure of \$323,000.00 from the Recreation and Parks Fund; to waive the competitive procurement provisions of the Columbus City Code; and to declare an emergency. (\$323,000.00)

**Sponsors:** Jaiza Page, Michael Stinziano

**Indexes:**

**Code sections:**

**Attachments:** 1. BidWaiverForm - franklin park cascades phase 1 construction, 2. Franklin Park Cascades Phase One Construction - DAX

Date	Ver.	Action By	Action	Result
5/18/2017	1	CITY CLERK	Attest	
5/18/2017	1	MAYOR	Signed	
5/15/2017	1	COUNCIL PRESIDENT PRO-TEM	Signed	
5/15/2017	1	Columbus City Council	Approved	Pass

**Background:** This ordinance authorizes the Director of the Recreation and Parks Department to enter into contract with McDaniel's Construction Corp., Inc. for the first phase of construction to renovate and return water to the Franklin Park Cascades. Kramer Engineers were put under contract in fall of 2016 for engineering services to make renovations to the existing Ponds and Cascades at Franklin Park. The Ponds and Cascades between the two ponds were constructed for Ameriflora in 1991. The pump system is no longer performing as it was designed and the system needs a complete overhaul with variable speed drives, above ground housing for access and new turbine pumps. The cascade areas between the ponds have numerous voids and deteriorating base and edges.

Phase One is the removal of the underground non-operational pumps in the park and replaces them with an above ground facility of two pumps enclosed in a pump house. This is critical to returning flow to the cascades. The future Phase Two will be determined after the cascades are running to be able to analyze the area of leaks and engineering a more natural stream bed between the ponds.

The costs for this project will be \$280,665.00 with a contingency of \$42,335.00 for a total of \$323,000.00.

Bids were advertised through Vendor Services, in accordance with City Code Chapter 329, on March 13, 2017 and received by the Recreation and Parks Department on March 30, 2017. Bids were received from the following companies:

<u>Company</u>	<u>Status</u>	<u>Amount</u>
McDaniel's Construction	(MBE)	\$280,665
Tyeveco	(MAJ)	\$297,000
Righter Co.	(MAJ)	\$322,700
RW Setterlin	(MAJ)	\$330,000

A subcontractor for McDaniel's Construction, Electrical Service Professionals, Inc., has not met the code requirement with respect to pre-qualification, pursuant to City Code Sections 329.211. Bid waiver is being requested; please see attached documentation for further details.

**Principal Parties:**

McDaniel's Construction Corp, Inc.  
1069 Woodland Avenue, Columbus, OH 43219  
Dan Moncrieff, III 614-252-5852  
31-1145406  
Exp. 11/30/17

**Emergency Justification:** An emergency is being requested so that work may start during the current construction season. It is critical for Phase One to be completed this summer to test the water flow. The pumps have a lead time of 8 to 10 weeks after the order is placed. Emergency legislation will allow us to be in contract in May with pump installation in July and water flow back in August. This allows the engineers to analyze existing conditions with water to start the engineering plans of Phase Two that need to bid in Fall 2017.

**Benefits to the Public:** Renovations will get a public favorite feature of Franklin Park back in working order.

**Community Input Issues:** Public requests to reactivate the cascades, the water feature in the park which has not had water flow since spring 2016.

**Area(s) Affected:** Franklin Park Civic Association, Near East side Area Commission (Planning Area 19)

**Master Plan Relation:**

- 1.2.1 Improve overall maintenance, safety and design, preserving a percentage of park area in a natural state to increase wildlife habitat and reduce maintenance costs.
- 1.4.2 Expand offerings and amenities to appear to a more diversified audience and user group (outdoor education)

**Fiscal Impact:** \$323,000.00 is budgeted and available in the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of this contract.

To authorize the Director of Recreation and Parks to enter into contract with McDaniel's Construction Corp., Inc. for the first phase of construction to renovate and return water to the Franklin Park Cascades; to authorize the expenditure of \$323,000.00 from the Recreation and Parks Fund; to waive the competitive procurement provisions of the Columbus City Code; and to declare an emergency. (\$323,000.00)

**WHEREAS,** it is necessary to authorize and direct the Director of the Recreation and Parks to enter into contract with McDaniel's Construction Corp., Inc. for the first phase of construction to renovate and return water to the Franklin Park Cascades; and

**WHEREAS,** it is necessary to authorize the expenditure of \$323,000.00 from the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS,** it is in the best interest of the City of Columbus to waive the formal bidding provisions of Columbus City Code 329 and contract with McDaniel's Construction Corp., Inc. for the first phase of construction to the Franklin Park Cascades; and

**WHEREAS,** an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to authorize the Director to enter into said contract in order to start during the current construction

season because it is critical for Phase One to be completed this summer to test the water flow; **NOW, THEREFORE**

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

**SECTION 1.** That the Director of Recreation and Parks be and is hereby authorized and directed to enter into contract with McDaniel's Construction Corp., Inc. for the first phase of construction to renovate and return water to the Franklin Park Cascades.

**SECTION 2.** That the expenditure of \$280,665.00 with a contingency of \$42,335.00 for a total of \$323,000.00, is authorized from the Recreation and Parks Voted Bond Fund 7702.

**SECTION 3.** That this Council finds it in the best interest of the City of Columbus to waive the competitive bidding provisions of Columbus City Code Chapter 329.

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

**SECTION 5.** 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 6.** 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 7.** For the purpose stated in Section 1, the expenditure of \$323,000.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Voted Bond Fund 7702 in object class 06 Capital Outlay per the accounting codes in the attachment.

**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 10 days after passage if the Mayor neither approves nor vetoes the same.