



Legislation Details (With Text)

File #: 1125-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/1/2020 **In control:** Public Service & Transportation Committee

On agenda: 6/1/2020 **Final action:** 6/5/2020

Title: To amend the 2019 Capital Improvement Budget; to authorize the transfer of cash and appropriation within the Streets and Highways Bond Fund; to appropriate funds within the Federal Transportation Grant Fund and within the Transportation Grant Fund; to authorize the Director of Public Service to enter into a construction services contract with Shelly & Sands for the Arterial Street Rehabilitation - Hamilton Road - 161 to Morse Road Phase A project; to authorize the expenditure of up to \$20,039,014.36 from the Streets and Highways Bond Fund, the Federal Transportation Grant Fund, and the Transportation Grant Fund to pay for the project; and to declare an emergency. (\$20,039,014.36)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ord 1125-2020 Accounting Template

| Date | Ver. | Action By | Action | Result |
|----------|------|-----------------------|----------|--------|
| 6/5/2020 | 1 | CITY CLERK | Attest | |
| 6/4/2020 | 1 | MAYOR | Signed | |
| 6/1/2020 | 1 | COUNCIL PRESIDENT | Signed | |
| 6/1/2020 | 1 | Columbus City Council | Approved | Pass |

1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into contract with Shelly & Sands for the Arterial Street Rehabilitation - Hamilton Road - 161 to Morse Road Phase A project and to provide payment for construction, construction administration, and construction inspection services.

This contract consists of the reconstruction of a 1.29 mile portion of Hamilton Road and the reconstruction of a 0.47 mile portion of Morse Road. Improvements include pavement widening, pavement replacement, pavement resurfacing, drainage improvements, pedestrian walks, shared use paths, replacement of existing traffic signals, lighting, and landscaping.

The estimated Notice to Proceed date is July 9, 2020. The project was let by the Office of Support Services through Vendor Services and Bid Express. Four bids were received on April 23, 2020, and tabulated as follows:

| <u>Company Name</u> | <u>Bid Amount</u> | <u>City/State</u> | <u>Majority/MBE/FBE</u> |
|-----------------------------------|-------------------|-------------------|-------------------------|
| Shelly & Sands, Inc. | \$18,554,642.92 | Columbus, OH | MAJ |
| Complete General Construction Co. | \$18,607,203.15 | Columbus, OH | MAJ |
| Trucco Construction Co., Inc. | \$19,127,873.23 | Delaware, OH | MAJ |
| Double Z Construction Co. | \$19,449,907.68 | Columbus, OH | MAJ |

Award is to be made to Shelly & Sands as the lowest responsive and responsible and best bidder for their bid of \$18,554,642.92. The amount of construction administration and inspection services will be \$1,484,371.44. The total legislated amount is \$20,039,014.36.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Shelly & Sands, Inc.

2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for Shelly & Sands is CC006043 and expires 2/21/22.

3. PRE-QUALIFICATION STATUS

Shelly & Sands 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

This is a reimbursable budgeted expense of \$15,394,710.73 for this project within the Federal Transportation Grant Fund, Fund 7765, Grant #G591609 (Hamilton Road Phase A 99852). Funds will need to be appropriated within this grant.

This is a reimbursable budgeted expense of \$3,896,475.01 for this project within the Transportation Grant Fund, Fund 7763, Grant #G591813 (2018 Hamilton Road 161 - Morse Rd CC05V/CC06V). Funds will need to be appropriated within this grant.

The remaining balance of \$747,828.62 is available within the Streets and Highways Bond Fund, Fund 7704. An amendment to the 2019 Capital Improvement Budget is necessary to align budget authority with the proper project. A transfer of cash and appropriation is necessary to align cash with the proper project.

5. EMERGENCY DESIGNATION

Emergency action is requested in order to meet the deadline given by the Ohio Department of Transportation to encumber their grant funds before the end of their fiscal year.

To amend the 2019 Capital Improvement Budget; to authorize the transfer of cash and appropriation within the Streets and Highways Bond Fund; to appropriate funds within the Federal Transportation Grant Fund and within the Transportation Grant Fund; to authorize the Director of Public Service to enter into a construction services contract with Shelly & Sands for the Arterial Street Rehabilitation - Hamilton Road - 161 to Morse Road Phase A project; to authorize the expenditure of up to \$20,039,014.36 from the Streets and Highways Bond Fund, the Federal Transportation Grant Fund, and the Transportation Grant Fund to pay for the project; and to declare an emergency. (\$20,039,014.36)

WHEREAS, the Department of Public Service is engaged in the Arterial Street Rehabilitation - Hamilton Road - 161 to Morse Road Phase A project; and

WHEREAS, the work for this project consists of the reconstruction of a 1.29 mile portion of Hamilton Road and the reconstruction of a 0.47 mile portion of Morse Road. Improvements include pavement widening, pavement replacement, pavement resurfacing, drainage improvements, pedestrian walks, shared use paths, replacement of existing traffic signals, lighting, and landscaping; and

WHEREAS, Shelly & Sands will be awarded the contract for the Arterial Street Rehabilitation - Hamilton Road - 161 to Morse Road Phase A project; and

WHEREAS, the Department of Public Service requires funding to be available for the Arterial Street Rehabilitation - Hamilton Road - 161 to Morse Road Phase A project for construction expense along with construction administration and construction inspection services; and

WHEREAS, it is necessary to amend the 2019 Capital Improvement Budget to establish budget authority within the proper project; and

WHEREAS, it is necessary to authorize a transfer of funds and appropriation within Fund 7704, the Streets and Highways Bond Fund, to establish sufficient cash to pay for the project; and

WHEREAS, it is necessary to appropriate funds within the Federal Transportation Grant Fund, Fund 7765, and within the Transportation Grant Fund, Fund 7763, for project expenses; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director of Public Service to enter into a construction services contract with Shelly & Sands for the Arterial Street Rehabilitation - Hamilton Road - 161 to Morse Road Phase A project in order to meet the deadline given by the Ohio Department of Transportation to encumber their grant funds before the end of their fiscal year, 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 the 2019 Capital Improvements Budget authorized by ordinance 1326-2019 be amended as follows to establish sufficient budget authority for this project:

Fund / Project / Project Name / Current / Change / C.I.B. as Amended

7704 / P530163-100028 / SSC - Common Payment System (Voted Carryover) / \$1,800,000.00 / (\$800,000.00) / \$1,000,000.00

7704 / P530103-100054 / Arterial Street Rehabilitation - Hamilton Road - 161 to Morse Rd Phase A (Voted Carryover) / \$1,047,443.00 / \$800,000.00 / \$1,847,443.00

SECTION 2. That the transfer of \$800,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530163-100028 (SSC - Common Payment System), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530103-100054 (Arterial Street Rehabilitation - Hamilton Road - 161 to Morse Road Phase A), Object Class 06 (Capital Outlay) 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, 2020, the sum of \$15,394,710.73 is appropriated in Fund 7765 (Federal Transportation Grant Fund), Dept-Div 5912 (Design and Construction), Grant G591609 (Hamilton Road Phase A 99852), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 4. 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, 2020, the sum of \$3,896,475.01 is appropriated in Fund 7763 (Transportation Grant Fund), Dept-Div 5912 (Design and Construction), Grant G591813 (2018 Hamilton Road 161 - Morse Rd CC05V/CC06V), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 5. That the Director of Public Service be and is hereby authorized to enter into a construction services contract with Shelly & Sands, 1515 Harmon Avenue, Columbus, Ohio, 43223, for the Arterial Street Rehabilitation - Hamilton Road - 161 to Morse Road Phase A project in the amount of up to \$18,554,642.92 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 \$1,484,371.44.

SECTION 6. That the expenditure of \$15,394,710.73, or so much thereof as may be needed, is hereby authorized in Fund 7765 (Federal Transportation Grant Fund), Dept-Div 5912 (Design and Construction), Grant G591609 (Hamilton Road Phase A 99852), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 7. That the expenditure of \$3,896,475.01, or so much thereof as may be needed, is hereby authorized in Fund 7763 (Transportation Grant Fund), Dept-Div 5912 (Design and Construction), Grant G591813 (2018 Hamilton Road 161 - Morse Rd CC05V/CC06V), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 8. That the expenditure of \$747,828.62, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction), Project P530103-100054 (Arterial Street Rehabilitation - Hamilton Road - 161 to Morse Road Phase A), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 9. 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 10. 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 11. 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 12. At the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

SECTION 13. 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.