



Legislation Details (With Text)

File #: 0829-2007 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 5/16/2007 **In control:** Public Service & Transportation Committee
On agenda: 7/23/2007 **Final action:** 7/25/2007

Title: To authorize the Public Service Director to modify and increase the existing construction contract with Trucco Construction Company, Incorporated, for construction of the Hard Road Phase B Improvement project for the Transportation Division; to authorize the City Auditor to transfer \$407,356.45 within and from the 1995, 1999, 2004 Voted Streets and Highways Fund to the Federal State Highway Engineering Fund; to appropriate \$407,356.45 within the Federal State Highway Engineering Fund; to authorize the expenditure of \$925,000.00 from the Federal State Highway Engineering Fund; and to declare an emergency. (\$925,000.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/25/2007	1	CITY CLERK	Attest	
7/24/2007	1	MAYOR	Signed	
7/23/2007	1	Columbus City Council	Approved	Pass
7/23/2007	1	COUNCIL PRESIDENT	Signed	
7/9/2007	1	ODI DIRECTOR	Reviewed and Approved	
7/9/2007	1	SERVICE DIRECTOR	Reviewed and Approved	
7/9/2007	1	CITY ATTORNEY	Reviewed and Approved	
7/9/2007	1	SERVICE DIRECTOR	Sent to Clerk's Office for Council	
7/6/2007	1	Auditor Reviewer	Reviewed and Approved	
7/6/2007	1	CITY AUDITOR	Reviewed and Approved	
7/6/2007	1	Service Reviewer	Sent for Approval	
7/5/2007	1	Finance Reviewer	Reviewed and Approved	
7/5/2007	1	Finance Reviewer	Reviewed and Approved	
7/5/2007	1	FINANCE DIRECTOR	Reviewed and Approved	
7/5/2007	1	Service Reviewer	Sent for Approval	
7/3/2007	1	SERVICE DIRECTOR	Reviewed and Approved	
6/26/2007	1	Service Reviewer	Reviewed and Approved	
5/16/2007	1	Service Drafter	Sent for Approval	

The Public Service Department, Transportation Division, recently completed construction of the Hard Road Phase B Improvement project. This project consisted of constructing a new railroad bridge, street lighting, traffic signals, storm sewers, water lines,

pavement and curbs and sidewalks, limiting safety hazards and congestion in the vicinity of three schools. The project limits are Smokey Row Road to the west and Linworth Road on the east. The original \$10,698,604.79 construction contract with Trucco Construction Company was authorized by Ordinance 0784-2003 passed by City Council on May 19, 2003. This contract was modified and increased by \$200,000.00 to cover the cost of construction delays caused by untimely utility relocations as authorized by Ordinance 1373-2004 passed by Council on July 19, 2004. It was later modified by Ordinance 1924-2005 for the amount of \$711,112.12 to provide for changes in construction necessitated by actual field conditions.

The need now exists to further modify and increase this contract by \$925,000.00 to provide for changes in construction necessitated by actual field conditions where contracted pay items did not exist and for quantity overruns. This amount also includes \$123,088.64 for construction inspection. The changes in construction were due to requested changes to the tracks by CSX; opening the intersection at Smokey Row and Hard Road sooner than anticipated; weather; and changes to open lanes during the winter.

Fiscal Impact: \$517,643.55 of this modification is eligible for reimbursement by the Ohio Department of Transportation (Federal share). The City is responsible for the remainder of this amount or \$407,356.45; this amount is budgeted in the 2007 Transportation C.I.B. and available within the 1995, 1999, 2004 Voted Streets and Highway Improvement Fund. This ordinance transfers the City share to the Hard Road grant within the Federal State Highway Engineering Fund. The ordinance then appropriates the City's share of \$407,356.45 within the Federal State Highway Engineering Fund and authorizes the expenditure of \$925,000.00 from this Fund.

Trucco Construction Company's contract compliance number is 31-1293605 (expiring 9/15/08).

Emergency action is requested to allow the City to pay the contractor for work that has been completed.

To authorize the Public Service Director to modify and increase the existing construction contract with Trucco Construction Company, Incorporated, for construction of the Hard Road Phase B Improvement project for the Transportation Division; to authorize the City Auditor to transfer \$407,356.45 within and from the 1995, 1999, 2004 Voted Streets and Highways Fund to the Federal State Highway Engineering Fund; to appropriate \$407,356.45 within the Federal State Highway Engineering Fund; to authorize the expenditure of \$925,000.00 from the Federal State Highway Engineering Fund; and to declare an emergency. (\$925,000.00)

WHEREAS, the Transportation Division is in contract with Trucco Construction Company in the Hard Road Phase B Improvement project; and

WHEREAS, the need now exists to further modify and increase this contract by \$925,000.00 to provide for changes in construction necessitated by actual field conditions where contracted pay items did not exist and for quantity overruns; and

WHEREAS, it is necessary to transfer and appropriate funds for this purpose; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be modified and increased immediately to pay for construction costs above and beyond the original contract amount, 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 Public Service Director be and is hereby authorized to modify and increase existing Contract No. EA039195 with Trucco Construction Company, Incorporated, 3046 Home Road, Powell, Ohio 43065 for construction of the Hard Road Phase B Widening project in the amount of \$925,000.00 for the Transportation Division in accordance with the documentation on file with the office of the City Engineer, which is hereby approved.

SECTION 2. That the transfer of \$407,356.45 within Fund 704, the 1995, 1999, 2004 Voted Streets and Highways Fund, Department No. 59-09, Transportation Division, be and hereby is authorized as follows:

TRANSFER FROM:

project # / project / Object Level One Code/Object Level Three Code / OCA Code/Amount
530208 / Federal/State Match / 06/6600 / 644385 / \$407,356.45

Total Transfer From: \$407,356.45

TRANSFER TO:

project # / project / Object Level One/Object Level Three Code / OCA Code/ Amount
530208 / Federal/State Match / 10/5501 / 644385 / \$407,356.45

Total Transfer To: \$407,356.45

SECTION 3. That the transfer of \$407,356.45 between Funds be and hereby is authorized as follows for Department No. 59-09, the Transportation Division:

TRANSFER FROM:

fund / project # / project / Object Level One Code/Object Level Three Code / OCA Code / Amount
704 / 530208 / Federal/State Match / 10/5501 / 644385 / \$407,356.45

Total Transfer From: \$407,356.45

TRANSFER TO:

fund / grant# / grant / Object Level One Code/Object Level Three Code / OCA Code/ Amount
765 / 561001 / Hard Road Phase B / 06/6631 / 561001 / \$407,356.45

Total Transfer To: \$407,356.45

SECTION 4. That from the unappropriated monies in the Federal State Highway Engineering Fund, Fund 765, and from the monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2007, the sum of \$407,356.45 be and hereby is appropriated to the Transportation Division, Department No. 59-09, Object Level One Code 06, Object Level Three Code 6631, OCA Code 561001 and Grant 561001.

SECTION 5. That the monies appropriated in the foregoing Section 6 shall be paid upon order of the Public Service Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 6. That for the purpose of paying the cost of the contract modification the sum of \$925,000.00, or so much thereof as may be necessary, be and hereby is authorized to be expended from the Federal State Highway Engineering Fund, Fund 765, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, OCA Code 561001 and Grant 561001.

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 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 or vetoes the same.