



Legislation Details (With Text)

File #: 2747-2012 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/28/2012 **In control:** Public Service & Transportation Committee

On agenda: 3/4/2013 **Final action:** 3/5/2013

Title: To authorize the Director of Public Service to enter into a contract with Kenmore Construction Company to provide for the payment of the contract and construction administration and inspection services, in connection with the Roadway Improvements - Grandview Yard - Third Avenue Improvements - Phase 1b project; to authorize the appropriation and expenditure of funds within the Sanitary Sewer General Obligation Fund for the Department of Public Utilities, the State Issue II Street Projects Fund for the available OPWC funding, and the Street and Highway Improvement Fund for the NRI contribution; and to declare an emergency. (\$4,662,367.67)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2747-2012 Bid Recommendation Memo

Date	Ver.	Action By	Action	Result
3/5/2013	1	CITY CLERK	Attest	
3/5/2013	1	MAYOR	Signed	
3/4/2013	1	COUNCIL PRESIDENT	Signed	
3/4/2013	1	Columbus City Council	Taken from the Table	Pass
3/4/2013	1	Columbus City Council	Approved	Pass
2/25/2013	1	Columbus City Council	Tabled to Certain Date	Pass

1. BACKGROUND:

This legislation authorizes the Director of Public Service to enter into a contract for the construction of the Roadway Improvements - Grandview Yard - Third Ave. Improvements - Phase 1. This is a joint project with the Department of Public Utilities, who will provide a portion of the funding for stormwater improvements included in the project.

The purpose of the plan is to resurface Third Avenue from Dover Avenue to Edgehill Road, reconstruct Third Avenue from Edgehill Road to a point 650 feet east of Edgehill Road, widen and resurface Third Avenue from a point 550 feet West of Olentangy River Road to Olentangy River Road, construct Yard Street from Third Avenue to the Columbus corporation limits, and to widen and resurface Edgehill Road from Third Avenue to a point 50 feet South of 5th Avenue.

A shared used path and a sidewalk will be installed. Drainage, traffic control, and landscape improvements are proposed.

.55 miles of 5 foot wide sidewalk and 36 ADA ramps will be added or reconstructed in this project. There are 4 bus stops within the limits of this project.

The estimated Notice to Proceed date is January 16, 2013. The project was let by the Office of Support Services through Vendor Services and Bid Express. 5 bids were received on November 27, 2012 (5 majority) and tabulated on November 28, 2012 as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>Majority/MBE/FBE</u>
Kenmore Construction Company	\$4,238,515.67	Majority
Nickolas Savko & Sons Inc.	\$4,263,833.17	Majority
Trucco Construction Company	\$4,621,011.76	Majority
George J. Igel & Co, Inc.	\$4,802,605.54	Majority
Complete General Construction	\$4,845,415.26	Majority

Award is to be made to Kenmore Construction Company for the amount of \$4,238,515.67.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Kenmore Construction Company.

2. CONTRACT COMPLIANCE

The contract compliance number for Kenmore Construction Company is 340802152 and expires 8/3/13.

3. FISCAL IMPACT

There are 3 sources of funding for this project. The Department of Public Utilities funding in the amount of \$39,961.01 is available within the Sanitary Sewer General Obligation Fund, Fund 664 and will be transferred to the Sanitary Sewer Grant Fund and expended from there. This project has been awarded an OPWC grant and will utilize \$3,807,481.00 in OPWC funding for construction and inspection. The OPWC funds will be appropriated and expended within the Sanitary Sewer Grant Fund and the State Issue II Street Projects Fund. Nationwide Realty Investors, Ltd (NRI) will deposit funding in the amount of \$814,925.66, which will be appropriated and transferred from the Street and Highway Improvement Fund to the State Issue II Street Project Fund and expended from there.

4. EMERGENCY DESIGNATION.

Emergency action is requested in order for this project to commence as early as possible and perform necessary construction for the economic growth of this area.

To authorize the Director of Public Service to enter into a contract with Kenmore Construction Company to provide for the payment of the contract and construction administration and inspection services, in connection with the Roadway Improvements - Grandview Yard - Third Avenue Improvements - Phase 1b project; to authorize the appropriation and expenditure of funds within the Sanitary Sewer General Obligation Fund for the Department of Public Utilities, the State Issue II Street Projects Fund for the available OPWC funding, and the Street and Highway Improvement Fund for the NRI contribution; and to declare an emergency. (\$4,662,367.67)

WHEREAS, the Division of Design and Construction is engaged in the Roadway Improvements - Grandview Yard - Third Avenue Improvements - Phase 1 project; and

WHEREAS, work on this project consists of resurfacing Third Avenue from Dover Avenue to Edgehill Road, reconstruction of Third Avenue from Edgehill Road to a point 650 feet east of Edgehill Road, widening and resurfacing Third Avenue from a point 550 feet West of Olentangy River Road to Olentangy River Road, construction of Yard Street from Third Avenue to the Columbus corporation limits, and widening and resurfacing Edgehill Road from Third Avenue to a point 50 feet South of 5th Avenue; and

WHEREAS, The Department of Public Utilities will contribute funding for Sanitary Sewer improvements within the limits of this project; and

WHEREAS, The City has received an OPWC grant and will utilize this OPWC funding for this project; and

WHEREAS, NRI has agreed to cooperate in this project and will contribute funding for their share of the project; and

WHEREAS, bids were received on November 27, 2012, and tabulated on November 28, 2012, for the Roadway

Improvements - Grandview Yard - Third Avenue Improvements - Phase 1 project and a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction administration and inspection costs; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Design and Construction in that the funding should be authorized immediately to perform necessary improvements for the economic growth of this area, 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 Director of Public Service be and is hereby authorized to enter into contract with Kenmore Construction Company, 700 Home Avenue, Akron, Ohio, 44310 for the construction of the Roadway Improvements - Grandview Yard - Third Avenue Improvements - Phase 1 project in the amount of up to \$4,238,515.67 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$423,852.00.

SECTION 2. That the 2012 C.I.B. authorized by ordinance 0368-2012 be and hereby is amended to establish authority for contributions by NRI for this project as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
766 / 530161-100138 / Roadway Improvements - Grandview Yard - Third Avenue Improvements - Phase 1 / \$0.00 / \$814,926.00 / \$814,926.00

Fund # | Project No. | Project Name | Current Authority | Revised Authority | (Change)
664 | 650754-100000 | Whetstone Park of Roses WWTF | \$313,436 | \$273,474 | (-\$39,962)
655 | 591224 | 3rd Ave Olentangy River Rd to Edgehill Rd | \$0 | \$39,962 | (+\$39,962)

SECTION 3. The sum of \$814,925.66 be and is hereby appropriated from the unappropriated balance of the Street and Highways Improvement Fund, Fund 766; that the sum of \$3,295,493.95 be and is hereby appropriated from the unappropriated balance of the State Issue II Streets Projects Fund, Fund 764; that the sum of \$551,948.06 be and is hereby appropriated from the unappropriated balance of the Sewer Grants Fund, Fund 655; 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 ending December 31, 2013 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
766 / 530161-100138 / Roadway Improvements - Grandview Yard - Third Avenue Improvements - Phase 1 / 10-5501 / 761138 / \$814,925.66

Fund / Grant #/ Grant Name / O.L. 01-03 Codes / OCA / Amount
764 / 591224-100000 / Roadway Improvements - Grandview Yard - Third Avenue Improvements - Phase 1 / 06-6600 / 591224 / \$3,295,493.95

Fund / Grant No. / Grant No. / Project Name / O.L. 01-03 Codes / OCA / Amount
655 / 591224-100000 / Third Avenue Bridge CC01P (Sewer) / 06-6630 / 651224 / \$551,948.06

SECTION 4. That the City Auditor is hereby authorized to transfer cash and appropriate \$39,961.01 between object levels within the Dept. of Public Utilities | Division of Sewerage and Drainage | Div. 60-05 | as follows::

FROM:

Fund | Proj. No. | Proj. Name | O.L. 01-03 Codes | OCA | Amount
664 | 650754-100000 | Whetstone Park of Roses Wet Weather Treatment Facility | 06-6600 | 664754 | -\$39,961.01

TO:

Fund | Grant No. | Grant Name | OCA | Amount

664 | 650754-100000 | Whetstone Park of Roses Wet Weather Treatment Facility | 10-5501 | 664754 | -\$39,961.01

SECTION 5. That the City Auditor is hereby authorized to transfer \$39,961.01 between funds within the Dept. of Public Utilities | Division of Sewerage and Drainage | Div. 60-05 | as follows::

FROM:

Fund | Proj. No. | Proj. Name | O.L. 01-03 Codes | OCA | Amount

664 | 650754-100000 | Whetstone Park of Roses Wet Weather Treatment Facility | 10-5501 | 664754 | -\$39,961.01

TO:

Fund | Grant No. | Grant Name | OCA | Amount

655 | 591224-100000 | 3rd Ave Olentangy River Rd to Edgehill Rd | 80-0086 | 651224 | +\$39,961.01

SECTION 6. That the City Auditor is hereby authorized to transfer and appropriate \$814,925.66 between funds within the Dept. of Public Service | Division of Design and Construction | Div. 59-12, as follows:

FROM:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

766 / 530161-100138 / Roadway Improvements - Grandview Yard - Third Avenue Improvements - Phase 1 / 10-5501 / 761138 / \$814,925.66

TO:

Fund / Grant #/ Grant Name / O.L. 01-03 Codes / OCA / Amount

764 / 591224-100000 / Roadway Improvements - Grandview Yard - Third Avenue Improvements - Phase 1 / 06-6600 / 591224 / \$814,925.66

SECTION 7. That for the purpose of paying the cost of the contract (\$4,238,515.67) and inspection (423,852.00), the sum of up to \$4,662,367.67 or so much thereof as may be needed, is hereby authorized to be expended from the State Issue II Street Projects Fund, Fund 764 for the Division of Design and Construction, Dept.-Div. 59-12 and the Sanitary Grants Fund, Fund 655, for the Division of Sewerage and Drainage as follows:

Contract - \$4,238,515.67

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

764 / 591224-100000 / Roadway Improvements - Grandview Yard - Third Avenue Improvements - Phase 1 / 06-6631 / 591224 / \$3,737,429.85 (Des. And Con.)

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

655 / 591224 / Third Avenue Bridge CC01P (Sewer) / 06-6630 / 651224 / \$501,085.82 (DOSD - Sanitary)

Inspection - \$423,852.00

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

764 / 591224-100000 / Roadway Improvements - Grandview Yard - Third Avenue Improvements - Phase 1 / 06-6687 / 591224 / \$372,989.76 (Des. And Con.)

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

655 / 591224 / Third Avenue Bridge CC01P (Sewer) / 6630 / 06-6687 / 651224 / \$50,862.24 (DOSD - Sanitary)

SECTION 8. 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 9. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 10. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 11. 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 12. 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.