



## Legislation Details (With Text)

**File #:** 1875-2019      **Version:** 1

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

**File created:** 6/28/2019      **In control:** Recreation & Parks Committee

**On agenda:** 7/22/2019      **Final action:** 7/25/2019

**Title:** To authorize the Director of Recreation and Parks to enter into contract with WTD Development, LLC for the reconstruction of the Olentangy Trail from Third Avenue to Fifth Avenue; to waive the formal bidding provisions of the Columbus City Codes; to authorize the transfer \$132,336.00 between projects within the Recreation and Parks Bond Fund; to amend 2019 Capital Improvements Budget Ordinance 1326-2019; to waive the competitive procurement provisions of the Columbus City Code; to authorize the expenditure of \$132,336.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$132,336.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Olentangy Trail - BidWaiverForm, 2. Greenways - Olentangy Trail - 3rd to 5th

Date	Ver.	Action By	Action	Result
7/25/2019	1	CITY CLERK	Attest	
7/24/2019	1	MAYOR	Signed	
7/22/2019	1	COUNCIL PRESIDENT	Signed	
7/22/2019	1	Columbus City Council	Approved	Pass

This ordinance authorizes the Director of the Recreation and Parks Department to enter into contract with WTD Development, LLC for the reconstruction of the Olentangy Trail from Third Avenue to Fifth Avenue.

**Background:** The Olentangy Trail in the Harrison West community is one of the busiest trail segments in Columbus. The trail is currently closed for 60 days due to the construction of a major development project. During this closure, CRPD and the Harrison West community requested that the developer use this opportunity for the trail to be widened and safety improvements for users be completed.

The developer agreed to work with the Department and the community, and this project will reconstruct and widen the Olentangy Trail in the Harrison West community, from Third Avenue to Fifth Avenue. The reconstruction will include widening the existing path from 9' to 12', and will be done during the current closure of this section of trail as part of the construction of the Founders Park development.

By performing this work during the trail closure, two important benefits for the public would be gained:

The fully improved trail will be reopened in July, when the closure period expires. This would eliminate the need for a second trail detour and disruption at a later period.

Completing the reconstruction at this time will save substantial construction costs (mobilization, labor, and materials) which would be incurred by doing the project in the next 2-3 years.

**Bid Waiver Justification:** The department is requesting the waiver of the formal bidding provisions of the Columbus

City Codes to enter into a contract with WTD Development, LLC as it is impossible to obtain bids to satisfy the need with the time required by formal bidding process. Recreation and Parks, in conjunction with the Harrison West community, is working with WTD Development, LLC in reconstructing a 2,000' section of the Olentangy Trail. To take advantage of a 60 day trail closure, this project will be completed during the closure period and the trail reopened by the end of July. This required that the construction bidding process be handled by the developer. Bids were received, prevailing wage rates were required, and the total project cost is acceptable to the city. Since the Developer, WTD Development, LLC, handled the bidding for this project and the standard City process was not used, a bid waiver is necessary.

WTD Development, LLC solicited bids to do the project on June 14, 2019. Columbus Recreation and Parks provided plans and specifications, and the project was bid at Prevailing Wage rates.

Bids were received from the following companies:

<u>Company</u>	<u>Status</u>	<u>Amount</u>
McMillen Paving	MAJ	\$109,420.00
AJ Asphalt	MAJ	\$107,726.00

AJ Asphalt was determined to be the lowest responsive bidder by WTD Development, LLC and the Recreation and Parks Department.

In order to accelerate this project to meet the tight time table during the current 60 day trail closure, it is in the City's best interest to get this project completed as described herein. The Harrison West Society on approved the use of the TIF funds for this project at their community meeting on May 15. Recreation & Parks will seek reimbursement of the project costs from the existing AC Humko TIF, once the protocol for obtaining these funds can be carried out.

**Principal Parties:**

WTD Development, LLC  
842 North 4th Street  
Columbus, OH 43215  
Joe Reidy, jreidy@thrivecos.com, (614) 721-0682

**Emergency Justification:** An emergency is being requested due to the immediate time frame of the trail reconstruction, which needs to be completed by the end of July, when the closure period expires.

**Benefits to the Public:** Increased width, safety, and pavement condition on a key central segment of the Olentangy Trail. Cycling, walking, running, and active trail uses provide highly recognized year-round benefits to urban lifestyles. Access to trails and to key destinations is one of the top rated priorities noted by residents.

**Community Input/Issues:** The project was discussed and supported by the Harrison West Society during their May regular community meeting. This trail reconstruction and use of TIF funding was approved by the Harrison West Society.

**Area(s) Affected:** Community Area: 43 (Harrison West)

**Master Plan Relation:** This project will support the mission of the Recreation and Parks Master Plan by improving access to trails and greenways corridors. It will also provide safe connections for nearby neighborhoods to the regional trail network.

**Fiscal Impact:** \$132,336.00 is budgeted and available in the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of this contract.

Construction =	\$ 107,726.00
Construction Contingency =	\$ 24,610.00
<b>Total Project Construction cost =</b>	<b>\$ 132,336.00</b>

To authorize the Director of Recreation and Parks to enter into contract with WTD Development, LLC for the reconstruction of the Olentangy Trail from Third Avenue to Fifth Avenue; to waive the formal bidding provisions of the Columbus City Codes; to authorize the transfer \$132,336.00 between projects within the Recreation and Parks Bond Fund; to amend 2019 Capital Improvements Budget Ordinance 1326-2019; to waive the competitive procurement provisions of the Columbus City Code; to authorize the expenditure of \$132,336.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$132,336.00)

**WHEREAS**, it is necessary to authorize and direct the Director of Recreation and Parks to enter into contract with WTD Development, LLC for the reconstruction of the Olentangy Trail from Third Avenue to Fifth Avenue; ; and

**WHEREAS**, it is necessary to authorize the transfer of \$132,336.00 or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Bond Fund 7702; and

**WHEREAS**, it is necessary to authorize that the 2019 Capital Improvements Budget Ordinance 1326-2019 be amended in order to provide sufficient budget authority for this legislation and future projects; and

**WHEREAS**, it is necessary to authorize the expenditure of \$132,336.00 from the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary due to the immediate time frame of the trail reconstruction, which needs to be completed by the end of July, thereby preserving the public health, safety and welfare; **NOW, THEREFORE**

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

**SECTION 1.** That the Director of Recreation and Parks is hereby authorized to enter into contract with WTD Development, LLC for the reconstruction of the Olentangy Trail from Third Avenue to Fifth Avenue.

**SECTION 2.** That the formal bidding provisions of the Columbus City Codes are waived to satisfy the needs outlined in the background of this ordinance.

**SECTION 3.** 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 4.** 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 5.** 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 6.** That the transfer of \$132,336.00 or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Bond Fund 7702 per the account codes in the attachment to this ordinance.

**SECTION 7.** That the 2019 Capital Improvements Budget Ordinance 1326-2019 is hereby amended as follows in order to provide sufficient budget authority for this ordinance and future projects.

**Fund / Project / Project Name / Current / Change / Amended**

Fund 7702; P510316-100000; Greenways Projects (Voted Carryover) / \$1,002,600 // (\$132,336) / \$871,342

Fund 7702; P510306-100005; Greenways - Olentangy Trail - 3rd to 5th (Voted Carryover) / \$0 / \$132,336 / \$132,336

**SECTION 8.** For the purpose stated in Section 1, the expenditure of \$132,336.00 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 attachments to this ordinance.

**SECTION 9.** 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.