



Legislation Details (With Text)

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On agenda: 7/9/2012 **Final action:** 7/11/2012

Title: To authorize the Director of Public Service to modify and increase a professional engineering services contract with Burgess and Niple, Inc.; to amend the 2012 Capital Improvements Budget; to authorize the transfer of cash and appropriation within the Streets and Highways G.O. Bonds Fund; to authorize the transfer of funds between the Streets and Highways G.O. Bonds Fund and the Fed-State Highway Engineering Fund; to authorize appropriation and expenditure of \$50,000.00 from the Fed-State Highway Engineering Fund and to declare an emergency (\$50,000.00).

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/11/2012	1	CITY CLERK	Attest	
7/10/2012	1	MAYOR	Signed	
7/9/2012	1	COUNCIL PRESIDENT	Signed	
7/9/2012	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This legislation authorizes the Director of Public Service to execute a contract modification with Burgess and Niple, Inc., for design of the Rich Street Bridge over the Scioto River in the amount of \$50,000.00.

The purpose of this contract was to design the replacement of the existing Town Street bridge on a new alignment that connects Rich Street on the east side of the Scioto River to Town Street on the west side of the Scioto River. Other components of the project include the redesign of West Bank Park between Town Street and Rich Street, including Washington Blvd., and Second Street from Rich Street to Mound Street.

As part of this project approximately 0.25 miles of new bikeway will be added which will allow for a continuous bike path at the river's edge along the west side of the river. Approximately 0.75 miles of sidewalk will be retained in compliance with the walkability and pedestrian quality of service in the downtown area. Also, 30 curb ramps will be added or retained. This project connects to the Scioto Mile project, and supports downtown festival activities, Bicentennial Park, and COSI. Bio-retention planters will also be installed along with street trees, and West Bank Park will be rebuilt.

This modification will be used to provide ongoing construction related services for the Rich Street Bridge project through construction finalization. The funding established in modification #5 was intended to carry the consultant through the construction phase. Since the beginning of construction, several changes occurred that required the consultant to perform services above the original fee. These changes included attending partnering meetings required by ODOT, design of additional LED lighting for the bridge, preparing as-built drawings at the end of construction and making changes to a bridge roadway east of the new bridge.

Burgess and Niple is the engineer of record and needs to be available to continue to answer any request for information

from the contractor, or address plan clarifications, and to prepare the as-built drawings.

A fee proposal was used to determine the amount of this modification. Burgess and Niple was selected in April, 2001 in accordance with Chapter 329 for professional service contracts.

The amount of the original contract was \$2,125,727.00 (City Auditor's Contract No. EA029459, authorized by Ordinance No. 0563-01)

Modification No. 1 in the amount of \$153,000.00 (City Auditor's Contract No. EA029459-003, authorized by Ordinance No. 1337-02). This modification was to include plans for the West Riverbank.

Modification No. 2, in the amount of \$875,788.00 (City Auditor's Contract No. EL004644, authorized by Ordinance No. 1265-2004. This modification was for preparation of right-of-way plans to the Ohio Department of Transportation specifications, Scioto West Bank Park construction contract documents, 404/401 and FEMA permit for West Bank Park, East Bank Park construction contract documents and a Historic American Engineering Record (HAER) document.

Modification No. 3, in the amount of \$3,613,000.00 (City Auditor's Contract No. EL005560, authorized by Ordinance No. 0675-2005. This modification was for the change in alignment to connect Rich Street on the east side and Town Street on the west side of the Scioto River.

Modification No. 4 in the amount of \$1,100,000.00 (City Auditor's Contract No. EL009196, authorized by ordinance No. 0083-2009). This modification was to include Second Street/Scioto Mile as a part of the bridge project and to increase the environmental document due to the addition of Second Street.

Modification No. 5 in the amount of \$100,000.00 (City Auditor's Contract No. EL011997, authorized by ordinance No. 1089-2011). This modification established a contract to prepare detailed construction plans for the Town Street over Scioto Bridge Replacement project from Starling to Civic Center Drive. Also included in the plans was the reconstruction and two-way conversion of Second Street from Mound Street to Rich Street, and the rebuilding of West Bank Park from Rich Street to Town Street.

The amount of this modification, number 6, is \$50,000.00.

The total of all Modifications, including this modification: \$5,891,788.00

The total contract amount including all modifications: \$8,017,515.00

2. CONTRACT COMPLIANCE

Burgess and Niple's Contract Compliance number is 31-0885550 and expires 11/26/2012.

3. FISCAL IMPACT

Funds in the amount of \$50,000.00 are available within the Streets and Highways G.O. Bonds Fund. C.I.B. amendment to the 2012 Capital Improvements Budget is necessary to establish sufficient cash and authority in the proper project.

4. EMERGENCY DESIGNATION

Emergency action is requested to ensure sufficient funding is available for this professional services contract through the end of the construction of this project.

To authorize the Director of Public Service to modify and increase a professional engineering services contract with Burgess and Niple, Inc.; to amend the 2012 Capital Improvements Budget; to authorize the transfer of cash and appropriation within the Streets and Highways G.O. Bonds Fund; to authorize the transfer of funds between the Streets and Highways G.O. Bonds Fund and the Fed-State Highway Engineering Fund; to authorize appropriation and expenditure of \$50,000.00 from the Fed-State Highway Engineering Fund and to declare an emergency (\$50,000.00).

WHEREAS, the Department of Public Service currently maintains a Professional Services Contract with Burgess and

Niple for the Design of the Rich Street Bridge; and

WHEREAS, Ordinance No. 0563-01, passed April 2, 2001 and approved by the City Attorney April 18, 2001 authorized the original contract in the amount of \$2,125,727.00, City Auditor's Contract No. EA029459-002 and -004; and

WHEREAS, Ordinance No. 1337-02 authorized contract modification No. 1, identified as City Auditor's Contract No. EA029459-003, in the amount of \$153,000.00; and

WHEREAS, Ordinance No. 1265-2004 authorized contract modification No. 2, identified as City Auditor's Contract No. EL004644, in the amount of \$875,788.00; and

WHEREAS, Ordinance No. 0675-2005 authorized contract modification No. 3, identified as City Auditor's Contract No. EL005560, in the amount of \$3,613,000.00; and

WHEREAS, Ordinance No. 0083-2009 authorized contract modification No. 4, identified as City Auditor's Contract No. EL009196, in the amount of \$1,100,000.00; and

WHEREAS, Ordinance No. 1089-2011 authorized contract modification No. 5, identified as City Auditor's Contract No. EL011997, in the amount of \$100, 000.00; and

WHEREAS, the Director of Public Service has identified the need to modify and increase this professional service contract in the amount of \$50,000.00 to provide ongoing construction related services for the Rich Street Bridge project through construction finalization; and

WHEREAS, a satisfactory proposal has been submitted by Burgess and Niple Inc.; and

WHEREAS, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for purposes of providing sufficient funding and spending authority for this project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, in that the contract should be modified and increased immediately so that the work may proceed without delay, 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 hereby is authorized to modify City Auditor's Contract No. EA029459 with Burgess & Niple, Inc., 5085 Reed Road, Columbus, Ohio 43220, for purposes of providing professional engineering services in connection with the Rich Street Bridge Project, in accordance with the terms and conditions as shown in the contract modification agreement on file in the Office of Support Services.

SECTION 2. That the 2012 C.I.B. authorized within ordinance 0368-2012 be amended to provide sufficient authority for this project as follows:

Amend for cancellation:

Fund / Project / Project Name / Current CIB / Amendment / CIB as amended

704 / 530301-160356 / Bridge Rehabilitation - Hardy Parkway over Scioto Big Run (Carryover) / \$0.00 / \$31,115.00 / \$31,115.00

Amend to establish correct authority:

Fund / Project / Project Name / Current CIB / Amendment / CIB as amended

704 / 530301-160356 Bridge Rehabilitation - Hardy Parkway over Scioto Big Run (Carryover) / \$31,115.00 / (\$31,115.00) / \$0.00

704 / 530301-100016 / Bridge Rehabilitation - State Route (Carryover) / \$52,190.00 / (\$18,886.00) / \$33,304.00
704 / 530301-100004 / Bridge Rehabilitation - Rich St Bridge (Carryover) / \$2,330.00 / \$50,000.00 / \$52,330.00

SECTION 3. That the transfer of cash and appropriation within the Streets and Highways G.O. Bonds Fund be authorized as follows:

Transfer From

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

704 / 530301-160356 / Bridge Rehabilitation - Hardy Parkway over Scioto Big Run / 06-6600 / 743156 / \$31,114.32
704 / 530301-100016 / Bridge Rehabilitation - State Route / 06-6600 / 743116 / \$18,885.68

Transfer To

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

704 / 530301-100004 / Bridge Rehabilitation - Rich Street Bridge / 10-5501 / 740104 / \$50,000.00

SECTION 4. That the transfer of monies between the Streets and Highways G.O. Bonds Fund and the Fed-State Highway Engineering Fund be authorized as follows

Transfer From

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

704 / 530301-100004 / Bridge Rehabilitation - Rich Street Bridge / 10-5501 / 740104 / \$50,000.00

Transfer To

Fund / Grant # / Grant Name/ OL01-03 / OCA Code / Amount

765 / 565186 / Rich Street Bridge / 80-0886 / 591291 / \$50,000.00

SECTION 5. The sum of \$50,000.00 be and is hereby appropriated from the unappropriated balance of the Fed-State Highway Eng. Fund, Fund 765, 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, 2012 to the Division of Design and Construction, Dept. 59-12, grant 565186, O.L. 01-03 Codes 06-6682, OCA Code 591291.

SECTION 6. That for the purpose of paying the cost thereof, the sum of \$50,000.00 or so much thereof as may be needed, is hereby authorized to be expended from Fund 765, the Fed-State Highway Engineering Fund, Dept.-Div. 59-12, grant 565186, O.L. 01-03 Codes 06-6682, OCA code 591291.

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 nor vetoes the same.