



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed
File created: 5/11/2023 **In control:** Public Service & Transportation Committee
On agenda: 6/5/2023 **Final action:** 6/9/2023

Title: To amend the 2022 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of the Department of Public Service to enter into a professional services contract with EMH&T for the Roadway - Livingston Avenue - 18th Street to Nelson Road project; to authorize the expenditure of up to \$1,700,000.00 from the Streets and Highways Bond Fund to pay for this contract; and to declare an emergency. (\$1,700,000.00)

Sponsors:

Indexes: MBE Participation, WBE Participation

Code sections:

Attachments: 1. Ord 1482-2023 Accounting Template.pdf, 2. Ord 1482-2023 subconsultants.pdf

Date	Ver.	Action By	Action	Result
6/9/2023	1	CITY CLERK	Attest	
6/8/2023	1	MAYOR	Signed	
6/5/2023	1	COUNCIL PRESIDENT	Signed	
6/5/2023	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into a professional services contract with EMH&T (Evans, Mechwart, Hambleton & Tilton, Inc.) in the amount of up to \$1,700,000.00 for the Roadway - Livingston Avenue - 18th Street to Nelson Road project.

The intent of this project is to provide the City of Columbus design improvements to the Livingston Avenue corridor from 18th Street to Nelson Road. A safety study was initiated by the City that included public engagement with a steering committee made up of community members. The resulting recommendation is to perform a lane reallocation to reduce the travel lanes and provide improvements that will increase safety for all users.

The Department of Public Service, Office of Support Services, solicited Requests for Proposals for the Roadway - Livingston Avenue - 18th Street to Nelson Road contract. The project was formally advertised on the Vendor Services and Bonfire web sites from March 29, 2023 to April 26, 2023. The city received four (4) responses. All proposals were deemed responsive and were fully evaluated when the Evaluation Committee met on May 3, 2023. The responding firms were:

<u>Company Name</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
EMH&T	Columbus, OH	MAJ
American Structurepoint	Columbus, OH	MAJ
GPD Group	Columbus, OH	MAJ
CHA Consulting, Inc.	Columbus, OH	MAJ

EMH&T received the highest score by the evaluation committee and will be awarded the Roadway - Livingston Avenue - 18th Street to Nelson Road contract.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against EMH&T.

As part of their bid EMH&T has proposed the following 4 subcontractors to work on the project:

<u>Company Name</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
Lawhon & Associates, Inc.	Columbus, OH	WBE
Advanced Engineering Consultants	Columbus, OH	MBE
Resource International	Columbus, OH	WBE
Dynotec	Columbus, OH	MBE

2. CONTRACT COMPLIANCE

EMH&T’s contract compliance number is CC004214 and expires 11/16/2024.

3. FISCAL IMPACT

Funding for this contract is available and appropriated within Fund 7704, the Streets and Highways Bond Fund. An amendment to the 2022 Capital Improvement Budget and a transfer of cash is required to establish sufficient budget authority for the project.

4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM

This contract was bid with a City of Columbus MBE/WBE Program goal of 15% as assigned by the City’s Office of Diversity and Inclusion (ODI). Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the “City’s Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual” and in the “City of Columbus MBE/WBE Program Special Provision” that were part of the bid documents for this contract.

5. EMERGENCY DESIGNATION

Ordinance 2862-2022 authorized the Director of Public Service to formally apply for a Safe Streets and Road for All Grant for the Livingston Avenue corridor between 18th Street and Nelson Road. The City was successful and received an award of \$12,000,000.00 to complete the construction portion of the project. The award stipulates that the project must be completed five years from the time the grant agreement is executed. In order to meet this timeline, design of the project must start immediately necessitating the need for an emergency legislation request.

To amend the 2022 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of the Department of Public Service to enter into a professional services contract with EMH&T for the Roadway - Livingston Avenue - 18th Street to Nelson Road project; to authorize the expenditure of up to \$1,700,000.00 from the Streets and Highways Bond Fund to pay for this contract; and to declare an emergency. (\$1,700,000.00)

WHEREAS, there is a need to enter into a professional services contract to provide for design improvements to the Livingston Avenue corridor from the 18th Street to Nelson Road. A safety study was initiated by the City that included public engagement with a steering committee made up of community members. The resulting recommendation is to perform a lane reallocation to reduce the travel lanes and provide improvements that will increase safety for all users; and

WHEREAS, the Department of Public Service, Office of Support Services, solicited Requests for Proposals for the Roadway - Livingston Avenue - 18th Street to Nelson Road project; and

WHEREAS, EMH&T submitted the best overall proposal for this project; and

WHEREAS, it is necessary to enter into a contract with EMH&T for the provision of professional engineering consulting services described above in the amount of up to \$1,700,000.00; and

WHEREAS, it is necessary to authorize an amendment to the 2022 Capital Improvement Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

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

WHEREAS, this contract opportunity was submitted to the City's Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding; and

WHEREAS, this contract was bid with a City of Columbus MBE/WBE Program goal of 15% as assigned by the City's Office of Diversity and Inclusion (ODI); and

WHEREAS, failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance; 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 contract with EMH&T in order to provide funding for the Roadway - Livingston Avenue - 18th Street to Nelson Road so that the project may start as soon as possible and meet the deadlines set by the grant, to ensure the safety of the traveling public 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 2022 Capital Improvements Budget authorized by ordinance 1896-2022 be amended as follows to establish sufficient authority for this project:

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

7704 / P440005-102180 / UIRF - Livingston Avenue Pedestrian Safety Study (Voted 2019 SIT Supported) / \$2,000,000.00 / (\$1,700,000.00) / \$300,000.00

7704 / P531079-100000 / Roadway - Livingston Ave - 18th Street to Nelson Road (Voted 2019 SIT Supported) / \$0.00 / \$1,700,000.00 / \$1,700,000.00

SECTION 2. That the transfer of \$1,700,000.00, 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 P440005-102180 (UIRF - Livingston Avenue Pedestrian Safety Study), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P531079-100000 (Roadway - Livingston Ave - 18th Street to Nelson Road), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 3. That the Director of Public Service be, and hereby is, authorized to enter into a professional services contract with EMH&T at 5500 New Albany Road, Columbus, Ohio 43054, for the Roadway - Livingston Avenue - 18th Street to Nelson Road project in an amount up to \$1,700,000.00.

SECTION 4. That the expenditure of \$1,700,000.00, 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 P531079-100000 (Roadway - Livingston Ave - 18th Street to Nelson Road), Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 5. 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 6. 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 7. 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 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.