



## Legislation Details (With Text)

**File #:** 1225-2010      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 8/25/2010      **In control:** Public Service & Transportation Committee  
**On agenda:** 9/13/2010      **Final action:** 9/16/2010

**Title:** To authorize the Director of Public Service to modify and increase the contract for the construction of the Resurfacing 2010 Project 2 project with Strawser Paving Company, Inc. and to provide funding for additional construction inspection for the Division of Design and Construction; to amend the 2010 Capital Improvement Budget; to authorize the transfer of funds within the Build America Bonds Fund; to authorize the expenditure of \$1,280,254.47 from the Build America Bonds Fund for the Division of Design and Construction; and to declare an emergency (\$1,280,254.47).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/16/2010	1	CITY CLERK	Attest	
9/15/2010	1	MAYOR	Signed	
9/13/2010	1	Columbus City Council	Approved	Pass
9/13/2010	1	COUNCIL PRESIDENT	Signed	
9/2/2010	1	Service Drafter	Sent for Approval	
9/2/2010	1	Auditor Reviewer	Reviewed and Approved	
9/2/2010	1	CITY AUDITOR	Reviewed and Approved	
9/2/2010	1	Service Drafter	Sent for Approval	
9/2/2010	1	CITY ATTORNEY	Reviewed and Approved	
9/2/2010	1	Service Drafter	Sent to Clerk's Office for Council	
9/1/2010	1	EBOCO Reviewer	Sent for Approval	
9/1/2010	1	ODI DIRECTOR	Reviewed and Approved	
8/31/2010	1	Finance Reviewer	Reviewed and Approved	
8/31/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
8/31/2010	1	Service Drafter	Sent for Approval	
8/30/2010	1	Finance Reviewer	Reviewed and Approved	
8/27/2010	1	Service Drafter	Sent for Approval	
8/27/2010	1	SERVICE DIRECTOR	Reviewed and Approved	
8/27/2010	1	Service Drafter	Sent for Approval	
8/26/2010	1	Service Reviewer	Reviewed and Approved	
8/25/2010	1	Service Drafter	Sent for Approval	

**1. BACKGROUND**

This legislation authorizes the Director of Public Service to modify and increase the construction contract with Strawser Paving Company, Inc. for the Resurfacing 2010 - Project 2 project in an amount up to \$1,165,010.10, and to provide for additional construction inspection in the amount of \$115,244.37.

<u>Company Name</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Strawser Paving Company, Inc.	Columbus, OH	Majority

Work performed under the original contract consisted of resurfacing 35 City streets. Some of these streets include Bent Tree Boulevard, Federated Boulevard, Krier Drive, Reflections Drive, and Sawmill Place Boulevard.

This contract modification will allow the Department of Public Service to increase this existing contract, for purposes of adding the resurfacing of an additional seven streets, using available funds from the August bond sale. The contractor has agreed to extend the unit prices for these additional streets that were contained in the original, competitively bid contract. This modification with Strawser Paving Company, Inc., along with a companion contract modification with Shelly and Sands Inc., will enable these contractors to make a comprehensive effort to resurface the greatest possible number of city streets during this fiscal year's construction season, within the budgeted \$18.5 million dollar FY2010 Resurfacing Program. If the Department had undertaken another separate, competitive procurement effort for these additional resurfacing services, it would have certainly delayed the commencement and completion of the work until the 2011 construction season and would have included an estimated, additional 8-10 % increase in the cost to do so.

7 additional streets will be added to the contract with this modification. They are:

- Corporate Exchange Drive from Cleveland Avenue to Cooper Road
- 17<sup>th</sup> Avenue from Clara Avenue to Billiter Boulevard
- E. 10<sup>th</sup> Avenue from Cassady Avenue to Alton Avenue
- E. 10<sup>th</sup> Avenue from Alton Avenue to Rarig Avenue
- Brentnell Avenue from Mock Road to Danby Drive
- Myrtle Avenue from Woodland Avenue to Brentnell Avenue
- Harold Place from Joyce Avenue to the west terminus.

As part of this modification, 111 ADA ramps will be added or reconstructed. The cost of the modification was determined from the breakdown of estimated quantities as measured and quantified by city staff. Existing contract unit prices were then used to determine the contract modification amount. Additional inspection cost was estimated based on the amount of additional construction work to be included in the contract.

The original contract amount (EL010622)	\$ 5,225,568.27
The total of Modification No. 1:	\$ 1,165,010.10
The total of all prior modifications:	\$ 0.00
The contract amount including all modifications:	\$ 6,390,578.37

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Strawser Paving Co., Inc.

**2. CONTRACT COMPLIANCE**

Strawser Paving Company's contract compliance number is 314412354 and expires 2/6/2011.

**3. FISCAL IMPACT**

Funds are available for this modification within the 2010 Capital Improvement Budget, from the Build America Bonds Fund for the Division of Design and Construction. Originally, 6 resurfacing projects were planned, and funds budgeted for the same. In lieu of going through with the 6<sup>th</sup> project, Resurfacing 2010 Project 2 and Resurfacing 2010 Project 5 will be modified. Project 5 will be legislated in another ordinance.

**4. EMERGENCY DESIGNATION**

The Department of Public Service is requesting City Council to enact this legislation as an emergency measure, in order to allow for

the execution of a construction contract modification, pursuant to the immediate commencement of the additional roadway resurfacing work on streets that have been identified as high priority, due to their pavement condition ratings.

To authorize the Director of Public Service to modify and increase the contract for the construction of the Resurfacing 2010 Project 2 project with Strawser Paving Company, Inc. and to provide funding for additional construction inspection for the Division of Design and Construction; to amend the 2010 Capital Improvement Budget; to authorize the transfer of funds within the Build America Bonds Fund; to authorize the expenditure of \$1,280,254.47 from the Build America Bonds Fund for the Division of Design and Construction; and to declare an emergency (\$1,280,254.47).

**WHEREAS**, contract no. EL010622 was authorized by ordinance no. 0813-2010, passed by City Council June 14, 2010, executed June 29, 2010 and approved by the City Attorney on July 6, 2010; and

**WHEREAS**, the Department of Public Service has determined it to be in the City's best interest to modify the subject contract for purposes of adding an additional seven streets, thereby enabling the Department to maximize its efforts of delivering an \$18.5 million dollar resurfacing program budget approved by City Council in the FY2010 Capital Improvement Budget; and

**WHEREAS**, this ordinance authorizes the first modification to the Resurfacing 2010 Project 2 contract in the amount of \$1,165,010.10; and

**WHEREAS**, it is necessary to provide additional funding for construction inspection; 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 project may be proceed in 2010, 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 modify and increase contract no. EL010622, with Strawser Paving Company, Inc, 1595 Frank Road, Columbus, OH 43223, by \$1,165,010.10 for additional work in accordance with the terms as shown on the modification on file in the Office of Support Services, which are hereby approved and to provide additional funding in the amount of \$115,244.37 for construction inspection.

**Section 2.** That the 2010 Capital Improvement Budget be amended to provide sufficient authority for this project as follows:

<u>Fund / Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount</u>
746 / 530282-100057 / Resurfacing - Resurfacing 2010 Project 6 / \$2,533,926.00 / (\$1,280,255.00) / \$1,253,671.00
746 / 530282-100041 / Resurfacing - Resurfacing 2010 Project 2 / \$0.00 / \$1,280,255.00 / \$1,280,255.00

**Section 3.** That the City Auditor be and hereby is authorized to transfer \$1,280,254.47 within Fund 746, the Build America Bonds Fund, Dept-Div 59-12, Division of Design and Construction, as follows:

**TRANSFER FROM**

<u>Fund / Project / Project Name / OCA Code / amount</u>
746 / 530282-100057 / Resurfacing - Resurfacing 2010 Project 6 / 768257 / \$1,280, 254.47

**TRANSFER TO**

<u>Fund / project # / project / O.L. 01/03 Codes / OCA Code / amount</u>
746 / 530282-100041 / Resurfacing - Resurfacing 2010 Project 2 / 768241 / \$1,280,254.47

**Section 4.** That for the purpose of paying the cost thereof, the sum of \$1,280,254.47 or so much thereof as may be needed, is hereby authorized to be expended from the Build America Bonds Fund, Fund 746, for the Division of Design and Construction, Dept-Div. 59 -12, OCA code 768241, O.L. 01-03 Code 06-6631, and project 530282-100041.

**Section 5.** 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 6.** 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.

