



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 6/6/2024 **In control:** Public Service & Transportation Committee

On agenda: 6/24/2024 **Final action:** 6/26/2024

Title: To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Non Bond Fund; to appropriate funds within the Streets and Highways Non Bond Fund; to authorize the Director of the Department of Public Service to enter into agreements with and to accept contributions from the Central Ohio Transportation Authority and Franklin County; to authorize the Director of the Department of Public Service to modify a professional services contract with Hunter Marketing for the Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement project; to authorize the expenditure of up to \$425,000.00 from the Streets and Highways Bond Fund and the Streets and Highways Non Bond Fund to pay for this contract; and to declare an emergency. (\$425,000.00)

Sponsors:

Indexes: WBE Participation

Code sections:

Attachments: 1. Ord. 1717-2024 Accounting Template

Date	Ver.	Action By	Action	Result
6/26/2024	1	CITY CLERK	Attest	
6/25/2024	1	MAYOR	Signed	
6/24/2024	1	COUNCIL PRESIDENT	Signed	
6/24/2024	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This ordinance authorizes the Director of Public Service to modify a professional services contract with Hunter Marketing in the amount of up to \$425,000.00 for the Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement project.

Additionally, this ordinance authorizes the Director of Public Service to enter into agreements with and to accept funds from the program partners COTA (Central Ohio Transportation Authority) and Franklin County; and to, as necessary, authorize the acceptance of additional funding from COTA and Franklin County or the return of any unexpended funding to the same after final accounting has been performed or the Department of Public Service certifies that any remaining funds are no longer needed for the project and can be refunded without the need for additional legislative action.

Ordinance 0799-2023 authorized the Director of Public Service to enter into a professional services contract with Hunter Marketing for the Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement project. The intent of this project is to provide the City of Columbus, Department of Public Service, and program partners COTA (Central Ohio Transportation Authority) and Franklin County with additional resources to perform various communications, outreach, and engagement-related tasks for the deployment of the LinkUS mobility initiative. This ordinance authorizes the Director of Public Service to modify the contract in the amount of \$425,000.00.

1.1 Amount of additional funds to be expended: \$425,000.00

The original contract amount:	\$300,000.00	(PO382778, Ord. 0799-2023)
The total of Modification No. 1:	\$425,000.00	(This Ordinance)

The contract amount including all modifications: \$725,000.00

1.2 Reasons additional goods/services could not be foreseen:

This is a planned modification to continue services and provide additional resources to perform various communications, outreach, and engagement-related tasks for the deployment of the LinkUS mobility initiative.

1.3 Reason other procurement processes are not used:

It was deemed to be more cost efficient to modify the existing contract to have the company familiar with the project complete the communication, outreach and engagement rather than to bid the remaining part of the work.

1.4 How cost of modification was determined:

The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal/contract.

2. CONTRACT COMPLIANCE

The contract compliance number for Hunter Marketing is CC-035651 and expires 04/13/2025.

3. FISCAL IMPACT

Funding in the amount of \$375,000.00 is available and appropriated for this contract within Fund 7704, the Streets and Highways Bond Fund. An amendment to the 2023 Capital Improvement Budget and a transfer of cash and appropriation is required to establish sufficient budget authority for the project.

The remaining \$50,000.00 is available in Fund 7766, the Streets and Highways Non Bond Fund. A transfer of cash and an amendment to the 2023 Capital Improvement Budget is required to establish sufficient budget authority for the project. Funds will need to be appropriated.

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

This contract was bid with an approved 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

Emergency action is requested to expedite this contract to complete the project in a timely manner, to ensure the safety of the traveling public.

To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Non Bond Fund; to appropriate funds within the Streets and Highways Non Bond Fund; to authorize the Director of the Department of Public Service to enter into agreements with and to accept contributions from the Central Ohio Transportation Authority and Franklin County; to authorize the Director of the Department of Public Service to modify a professional services contract with Hunter Marketing for the Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement project; to authorize the expenditure of up to \$425,000.00 from the Streets and Highways Bond Fund and the Streets and Highways Non Bond Fund to pay for this contract; and to declare an emergency. (\$425,000.00)

WHEREAS, the Central Ohio Transportation Agency and Franklin County intend to contribute funding to subsidize the cost of professional services necessary for the deployment of the LinkUS mobility initiative;

WHEREAS, the Director of Public Service must execute contribution agreements, and any amendments or modifications thereto, with the Central Ohio Transportation Authority and Franklin County to facilitate the acceptance and expenditure of funding by the Department of Public Service for the aforementioned purpose; and

WHEREAS, it may be necessary to accept additional funds from the Central Ohio Transportation Authority and Franklin County if the actual costs exceed the preliminary cost estimate; and

WHEREAS, it may be necessary to issue a refund to the Central Ohio Transportation Authority and Franklin County after final accounting has been performed or after the Department of Public Service certifies that any remaining funds are no longer needed for the project and can be refunded, without the need for additional legislative action; and

WHEREAS, there is a need to modify this contract to provide for additional resources to perform various communications, outreach, and engagement-related tasks for the deployment of the LinkUS mobility initiative; and

WHEREAS, it is necessary to modify a contract with Hunter Marketing for the provision of professional engineering consulting services described above in the amount of up to \$425,000.00; and

WHEREAS, it is necessary to authorize an amendment to the 2023 Capital Improvement Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, it is necessary to authorize a transfer of funds within Fund 7704 the street and highway bond fund and Fund 7766, the Streets and Highways Non Bond Fund, to establish sufficient cash to pay for the project; and

WHEREAS, funds in the amount of \$50,000.00 must be appropriated within Fund 7766, the Streets and Highways Non Bond Fund; and

WHEREAS, this contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 15% as assigned by the City's Office of Diversity and Inclusion (ODI) and includes any modifications to the contract; 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 modify a contract with Hunter Marketing in order to provide funding for the Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement so that the project can proceed without delay, to ensure the safety of the traveling public, for the immediate preservation of the public health, peace, property, and safety; **NOW, THEREFORE,**

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

SECTION 1. That the 2023 Capital Improvements Budget authorized by ordinance 1711-2023 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 / P531080-100000 / Roadway - LinkUS - Main Category (Voted 2019 SIT Supported) / \$11,000,000.00 / (\$375,000.00) / \$10,625,000.00

7766 / P531024-100000 / Roadway - LinkUS - NW Corridor (Street & Highway Imp Carryover) / \$50,000.00 / (\$50,000.00) / \$0.00

7704 / P530161-100216 / Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement (Voted 2019 SIT Supported) / \$0.00 / \$375,000.00 / \$375,000.00

7766 / P530161-100216 / Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement (Street & Highway Imp Carryover) / \$200,000.00 / \$50,000.00 / \$250,000.00

SECTION 2. That the transfer of \$375,000.00, 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 P531080-100000 (Roadway - LinkUS - Main Category), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction),

Project P530161-100216 (Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 3. That the transfer of \$50,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7766 (Streets and Highways Non Bond Fund), from Dept-Div 5912 (Design and Construction), Project P531024-100000 (Roadway - LinkUS - NW Corridor), Object Class 99 to Dept-Div 5912 (Design and Construction), Project P530161-100216 (Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement), Object Class 99 per the account codes in the attachment to this ordinance.

SECTION 4. That from the unappropriated monies 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 ended December 31, 2024, the sum of \$50,000.00 is appropriated in Fund 7766 (Streets and Highways Non Bond Fund), Dept-Div 5912 (Design and Construction), Project P530161-100216 (Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 5. That the Director of Public Service be, and hereby is, authorized to modify a professional services contract modification with Hunter Marketing, 15 East Gay Street, Columbus, Ohio 43215, for the Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement project in an amount up to \$425,000.00.

SECTION 6. That the expenditure of \$375,000.00, 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 P530161-100216 (Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 7. That the expenditure of \$50,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7766 (Streets and Highways Non Bond Fund), Dept-Div 5912 (Design and Construction), Project P530161-100216 (Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 8. That the Director of Public Service be and hereby is authorized to enter into agreements with and to accept contributions from the Central Ohio Transportation Authority and Franklin County for the Roadway - LinkUS Mobility Corridors Initiative - Communications, Outreach & Engagement project, and to modify those agreements if necessary to accept additional contributions from the Central Ohio Transportation Authority and Franklin County for services related to this project.

SECTION 9. That the Director of Public Service be and hereby is authorized, as necessary, to accept additional funds from the aforementioned entity should the amounts of their initial deposits prove insufficient to support their respective share of actual design costs or to return any unexpended project funding to the same after final accounting has been performed or the Department of Public Service certifies that any remaining funds are no longer needed for the project and can be refunded, without the need for additional legislative action.

SECTION 10. That 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 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 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 13. 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.