



## Legislation Details (With Text)

**File #:** 1370-2013      **Version:** 1

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

**File created:** 5/29/2013      **In control:** Public Utilities Committee

**On agenda:** 6/17/2013      **Final action:** 6/19/2013

**Title:** To authorize the Director of Public Utilities to modify and increase the construction contract with Lithko Restoration Technologies LLC for the 910 Dublin Road - Pedestrian Bridge Project; for the Division of Water; to authorize an expenditure up to \$41,513.00 within the Water Works Enlargement Voted Bonds Fund; to waive the provisions of competitive bidding; and to declare an emergency. (\$41,513.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 1370-2013 Information, 2. ORD 1370-2013 Bid Waiver, 3. ORD 1370-2013 Sub ID

Date	Ver.	Action By	Action	Result
6/19/2013	1	CITY CLERK	Attest	
6/18/2013	1	MAYOR	Signed	
6/17/2013	1	COUNCIL PRESIDENT	Signed	
6/17/2013	1	Columbus City Council	Approved	Pass

**1. BACKGROUND:** This Ordinance authorizes the Director of Public Utilities to modify and increase the construction contract with Lithko Restoration Technologies LLC for the 910 Dublin Road - Pedestrian Bridge Project, for the Division of Water.

The original project scope consisted of repairing of certain elements of the pedestrian bridge at the entrance to the Utilities Complex building at 910 Dublin Road. The work included repair to the steel support beam, bridge deck concrete, and surface coating. The original scope was strictly maintenance work with the intent that the work be performed in the fall of 2012 prior to the exposed bridge being subjected to winter weather conditions.

Due to the early and extreme weather conditions in the winter of 2012/2013, the bridge experienced additional deterioration. When the contractor began to perform the work in the spring of 2013 the condition was considerably worse than originally anticipated. With input from the professional structural engineering consultant a revised scope of work was prepared that includes more extensive demolition / removal / reconstruction of a portion of the concrete bridge deck and concrete masonry unit walls, coating of the entire bridge deck and walls, and forming and pouring new concrete wall caps.

This current proposed contract modification (No. 1) will perform this revised scope of work. As this work is now demolition and reconstruction work anticipated to last more than 20 years it will be funded with Capital funds. No future phasing of the work is anticipated.

**1.1 Amount of additional funds to be expended: \$41,513.00**

Original Contract Amount:	\$ 12,850.00 (ED048219)
Modification 1 (current)	<u>\$ 41,513.00</u>
Total (Orig. + Mod. 1)	\$ 54,363.00

**1.2. Reasons additional goods/services could not be foreseen:**

The original contract was established through the informal bidding process with 3 invited bidders providing for competition (bidders were recommended by the professional structural consulting engineer). As the contractor began the work it was apparent the deterioration was more extensive than originally anticipated. The contractor performed a portion of the original scope of work to stabilize the pedestrian bridge. The professional structural engineering consultant prepared a revised scope of work that includes more extensive demolition / removal / reconstruction of a portion of the concrete bridge deck and concrete masonry unit walls, coating of the entire bridge deck and walls, and forming and pouring new concrete wall caps.

**1.3. Reason other procurement processes are not used:**

The current contractor has already mobilized to the site and performed a portion of the original scope of work. They are familiar with the current site conditions and will be available to quickly resume work on the compromised bridge as soon as the contract modification is executed. This bridge is the only public access to the Utilities Complex building and reconstruction work must be performed before any further deterioration is experienced.

**1.4. How cost of modification was determined:**

A revised scope of work prepared by the professional structural consulting engineer was transmitted to the contractor. The contractor prepared a cost estimate and schedule for the new scope of work. The professional structural consulting engineer and the City project manager reviewed the cost and schedule and determined it to be appropriate.

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:** The pedestrian bridge is needed for public access to the Utilities Complex which is a public building utilized for rate-payers bill payments, contractors securing water and sewer permits, and consultants accessing water and sewer map and permit records. No community outreach was sought and there are no environmental factors in the project scope of work.

**3. CONTRACT COMPLIANCE INFO:** 01-0817704, expires 4/12/14, Majority

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Lithko Restoration Technologies LLC.

**4. BID WAIVER:** Because the original contract was established through the informal bidding process and the entire amount of the contract will be over \$20,000.00, the Department is requesting the provisions of formal competitive bidding be waived in order to contract with Lithko Restoration Technologies LLC.

**5. EMERGENCY DESIGNATION:** It is requested that this Ordinance be handled in an emergency manner so repairs can be made in a timely manner as the continued deterioration to the current pedestrian bridge could become a public safety concern. This bridge provides the only public access to the building.

**6. FISCAL IMPACT:** Funds for this expenditure are included within the Water Works Enlargement Voted Bonds.

To authorize the Director of Public Utilities to modify and increase the construction contract with Lithko Restoration Technologies LLC for the 910 Dublin Road - Pedestrian Bridge Project; for the Division of Water; to authorize an expenditure up to \$41,513.00 within the Water Works Enlargement Voted Bonds Fund; to waive the provisions of competitive bidding; and to declare an emergency. (\$41,513.00)

**WHEREAS,** Contract No. ED048219 with Lithko Restoration Technologies LLC was certified by the Auditor's Office on April 8, 2013 for the 910 Dublin Road - Pedestrian Bridge Project; and

**WHEREAS,** a modification to the contract is necessary in order to provide more extensive demolition / removal / reconstruction to the pedestrian bridge; and

**WHEREAS**, the Director of Public Utilities believes it is in the City's best interest to waive the provisions of Section 329.06 of the Columbus City Code, 1959, competitive bidding, as the original contract was established through the informal bidding process with 3 invited bidders providing for competition and further deterioration of the bridge could pose a public safety concern; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to execute a modification to the construction contract for the 910 Dublin Road - Pedestrian Bridge Project; and

**WHEREAS**, it is necessary for this Council to authorize an expenditure of funds within the Water Works Enlargement Voted Bonds Fund, for the Division of Water; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Water, in that it is immediately necessary to authorize the Director of Public Utilities to modify and increase the construction contract with Lithko Restoration Technologies LLC for the 910 Dublin Road - Pedestrian Bridge Project, in an emergency manner so repairs can be made in a timely manner as the continued deterioration to the current pedestrian bridge could become a public safety concern, for the immediate preservation of 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 Utilities is hereby authorized and directed to modify and increase the construction contract with Lithko Restoration Technologies LLC, 1059 Cable Avenue, Columbus, Ohio 43222; for the 910 Dublin Road - Pedestrian Bridge Project, in the amount of \$41,513.00.

**SECTION 2.** That this Council finds it in the best interest of the City of Columbus to waive the provisions of Section 329.06 of the Columbus City Code, 1959, in order to contract for the 910 Dublin Road - Pedestrian Bridge Project, and such provisions are hereby waived.

**SECTION 3.** That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Water.

**SECTION 4.** That an expenditure up to \$41,513.00 is hereby authorized for the 910 Dublin Road - Pedestrian Bridge Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690026-100002 (carryover), Object Level Three 6621, OCA Code 623639.

**SECTION 5.** 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 6.** That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

**SECTION 7.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 8.** 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 9.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is 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.