



## Legislation Details (With Text)

**File #:** 1086-2024      **Version:** 1

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

**File created:** 4/9/2024      **In control:** Public Utilities & Sustainability Committee

**On agenda:** 5/13/2024      **Final action:** 5/15/2024

**Title:** To authorize the Director of the Department of Public Utilities to enter into a construction contract with Elford, Inc. for the DOW Safety Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the transfer of cash between projects within the Water PayGo Fund; to appropriate funds within the Water PayGo Fund; and to authorize the expenditure of up to \$2,158,200.00 for the project. (\$2,158,200.00)

**Sponsors:**

**Indexes:** WBE Participation

**Code sections:**

**Attachments:** 1. ORD 1086-2024 vicinity map.pdf, 2. ORD 1086-2024 Accounting Template, 3. ORD 1086-2024 DOW SAFETY Utilization.pdf

Date	Ver.	Action By	Action	Result
5/15/2024	1	ACTING CITY CLERK	Attest	
5/14/2024	1	MAYOR	Signed	
5/13/2024	1	COUNCIL PRESIDENT PRO-TEM	Signed	
5/13/2024	1	Columbus City Council	Approved	Pass
5/6/2024	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

This ordinance authorizes the Director of Public Utilities to enter into a construction contract via the City’s Invitation to Bid process with Elford, Inc. for the DOW Safety Improvements, CIP #690576-100000, in an amount up to \$2,158,200.00.

This project will install safety improvements at various Division of Water (DOW) facilities to comply with OSHA regulations and safety practices. The work for this contract consists of modification/installation of guardrails, ladders, fall protection systems, signage, machine guards, and other such work as may be necessary to complete the contract in accordance with the drawings, technical specifications, special provisions, and City of Columbus Construction and Material Specifications set forth in Invitation For Bid (IFB).

The Community Area is 99 - Citywide as this project will service several Columbus Communities.

### TIMELINE

All work shall be complete within 618 calendar days from the Notice to Proceed. The City anticipates issuing a Notice to Proceed in the second quarter of 2024.

### ESTIMATED COST OF PROJECT

The bid amount received from Elford Inc. was \$2,158,200.00, which included a 10% construction contingency. A 10% construction contingency amount will be utilized to fund needed and approved changes in the work. No contract modifications are anticipated at this time, however construction contingency might later compel modification of this contract, if unforeseen difficulties are encountered.

Cost summary:

Original Contract	\$2,158,200.00
Future Anticipated Needs	\$ 0.00
<b>CONTRACT TOTAL</b>	<b>\$2,158,200.00</b>

**2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT**

Safety regulations and good practice guidance change over time and equipment installed in the past may not meet current safety regulations or safety practices. This project will install safety improvements at various DOW facilities to comply with OSHA regulations and safety practices.

**3. BID INFORMATION**

This project was formally advertised on the Vendor Services and Bid Express websites from November 30, 2023 through January 11, 2024. One bid was received:

<u>Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Status</u>
Elford, Inc.	\$2,158,200.00	Columbus, Ohio	MAJ

The Elford, Inc. bid was evaluated and deemed the lowest, best, most responsive bid.

Elford, Inc.'s certification was in good standing at the time of the contract award.

**4. CONTRACT COMPLIANCE INFORMATION**

Elford, Inc.'s contract compliance number is CC006059 and expires 12/28/25.

**5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

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). After review of their Utilization Plan and other related information the contractor submitted with their bid response, ODI has approved an MBE/WBE Program goal of 1.63% for this contract. Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the bid documents for this contract.

As part of their proposal, Environmental Remediation Contractor LLC, has proposed the following subcontractors to perform contract work:

<u>Company Name</u>	<u>City/State</u>	<u>ODI Certification Status</u>
Anderson Decorating	Columbus, Ohio	WBE
Jendco Safety Supply	Columbus, Ohio	WBE
Pummell Construction Services	Columbus, Ohio	WBE

The certification of the above companies was in good standing at the time the bid was awarded.

**6. PRE-QUALIFICATION STATUS**

Elford, Inc. and all subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

**7. FISCAL IMPACT**

Funding is available for this expenditure in the Water PayGo Fund, Fund 6016. An amendment to the 2023 Capital Improvement Budget is needed to align budget authority with the proper project. A transfer of cash between projects within Fund 6016 is needed to align cash with the proper project, then the funds will need to be appropriated.

To authorize the Director of the Department of Public Utilities to enter into a construction contract with Elford, Inc. for

the DOW Safety Improvements project; to authorize an amendment to the 2023 Capital Improvement Budget; to authorize the transfer of cash between projects within the Water PayGo Fund; to appropriate funds within the Water PayGo Fund; and to authorize the expenditure of up to \$2,158,200.00 for the project. (\$2,158,200.00)

**WHEREAS**, the Department of Public Utilities is engaged in the Division of Water (DOW) Safety Improvements project; and

**WHEREAS**, one bid for the DOW Safety Improvements project were received and opened on January 11, 2024; and

**WHEREAS**, Elford, Inc. was determined to be the lowest, responsive, and responsible bidder; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to enter into a construction services contract with Elford, Inc. for the DOW Safety Improvements project; and

**WHEREAS**, the 2023 Capital Improvements Budget must be modified to align budget authority with the proper project; and

**WHEREAS**, it is necessary to transfer cash between projects within the Water PayGo Fund, Fund 6016, to align cash with the proper project; and

**WHEREAS**, it is necessary to appropriate funds within the Water PayGo Fund, Fund 6016; and

**WHEREAS**, it is necessary to expend funds to pay for this project; **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 budget authority for this project:

**Fund / Project Number / Project Name (Funding Source) / Current Authority / Revised Authority / Change**  
6016 / P601699-100000 / Unallocated Balance Fd. (Water PayGo Carryover) / \$2,479,572.00 / \$321,372.00 / (\$2,158,200.00)

6016 / P690576-100000 / DOW Safety Improvements (Water PayGo Carryover) / \$0.00 / \$2,158,200.00 / \$2,158,200.00

**SECTION 2.** That the transfer of \$2,158,200.00, or so much thereof as may be needed, is hereby authorized within the Water PayGo Fund, Fund 6016, per the account codes in the attachment to this ordinance.

**SECTION 3.** 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 \$2,158,200.00 is appropriated in the Water PayGo Fund, Fund 6016, per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Director of Public Utilities is hereby authorized to enter into a construction services contract for the Division of Water (DOW) Safety Improvements project with Elford, Inc., 1220 Dublin Road, Columbus, Ohio 43215, in an amount up to \$2,158,200.00, in accordance with the terms and conditions of the contract on file in the Department of Public Utilities.

**SECTION 5.** That the expenditure of up to \$2,158,200.00, or so much thereof as may be needed, is hereby authorized from the Water PayGo Fund, Fund 6016, per the accounting codes in the attachment to this ordinance.

**SECTION 6.** 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 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 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 9.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.