



## Legislation Details (With Text)

**File #:** 1210-2013      **Version:** 1

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

**File created:** 5/10/2013      **In control:** Public Service & Transportation Committee

**On agenda:** 6/3/2013      **Final action:** 6/5/2013

**Title:** To amend the 2013 Capital Improvements Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets & Highways Bond Fund; to authorize the Director of Public Service to enter into contract with Decker Construction Co. for the Roadway Improvements - Utility Cut & Restoration contract; to authorize the expenditure of up to \$300,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$300,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Recommendation

Date	Ver.	Action By	Action	Result
6/5/2013	1	CITY CLERK	Attest	
6/4/2013	1	MAYOR	Signed	
6/3/2013	1	COUNCIL PRESIDENT	Signed	
6/3/2013	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into a contract for the Roadway Improvements - Utility Cut & Restoration (2013) service.

Services performed under this contract include various backfill & pavement restorations for excavations from deposited permits and other such work as may be necessary to complete the contract in accordance with the plans and specifications.

The estimated Notice to Proceed date is June 27, 2013. The contract was let by the Office of Support Services through Vendor Services and Bid Express. One bid was received on May 7, 2013, (one majority) and tabulated as follows:

<u>Company Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Decker Construction Co.	\$308,390.00	Columbus, Ohio	Majority

The bid documents contain Special Provision 146 which states, “It is the City’s intent to fully utilize the available funding provided to its Utility Cut and Restoration Program within the approved Capital Improvements Budget. Therefore, the City reserves the right to increase or decrease the base bid amount, up to or down to a maximum of \$300,000.00. The total amount of the work and other incidentals will not exceed the total amount of the contract (maximum of \$300,000.00). In the event that the City does add utility cuts to the original list in order to use the remaining available funds, the contractor shall be bound by all bid specifications and other terms and conditions contained in this contract document. The contract will be awarded to the lowest (determined by the base bid, not including additional funds to equal the maximum of \$300,000.00), responsive and responsible and best bidder per Columbus City Code Section 329.”

Special Provision 146 also states, “The duration of this contract is three (3) years and shall expire June 30, 2016. There is

also an escalator clause that will increase the base contract item amounts by 2.00% for the second year from June 30, 2014, to June 30, 2015, and by 2.00% for the third year from June 30, 2015, to June 30, 2016.”

Award is to be made to Decker Construction Co., as the lowest responsive and responsible and best bidder. The contract amount will be \$300,000.00. Construction administration and inspection services will be performed by personnel from the Division Planning and Operations - Permit Section.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Decker Construction Co.

## **2. CONTRACT COMPLIANCE**

The contract compliance number for Decker Construction Co. is 310983557 and expires on 2/3/14.

## **3. FISCAL IMPACT**

Funds in the amount of \$300,000.00 are available for this project in the Streets and Highways G.O Bond Fund within the Department of Public Service. A transfer of cash and authority is necessary for this project and will be reimbursed after the 2013 Bond Sale.

## **4. EMERGENCY DESIGNATION**

Emergency action is requested in order to provide for necessary backfill and pavement restoration work at the earliest possible time to ensure the safety of the travelling public.

To amend the 2013 Capital Improvements Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets & Highways Bond Fund; to authorize the Director of Public Service to enter into contract with Decker Construction Co. for the Roadway Improvements - Utility Cut & Restoration contract; to authorize the expenditure of up to \$300,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$300,000.00)

**WHEREAS**, the City of Columbus Department of Public Service is engaged in the Roadway Improvements - Utility Cut & Restoration (2013) contract; and

**WHEREAS**, services performed by this contract include various backfill & pavement restorations for excavations from deposited permits and other such work as may be necessary to complete the contract in accordance with the plans and specifications; and

**WHEREAS**, Decker Construction Co. will be awarded the Roadway Improvements - Utility Cut & Restoration (2013) contract; and

**WHEREAS**, it is necessary to enter into contract with Decker Construction Co.; and

**WHEREAS**, it is necessary to authorize an amendment to the 2013 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that this contract should proceed immediately for the various backfill & pavement restorations to ensure the safety of the travelling 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 2013 Capital Improvements Budget authorized by ordinance 0645-2013 be and is hereby amended to provide sufficient budget authority for the appropriate projects authorized within this ordinance as follows:

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

704 / 440104-100006 / 2012 Neighborhood Infrastructure (Voted Carryover) / \$325,086.00 / (\$300,000.00) / \$25,086.00  
704 / 530161-100106 / Roadway Improvements - Utility Cut and Restoration (Voted Carryover) / \$0.00 / \$300,000.00 / \$300,000.00

704 / 440104-100006 / 2012 Neighborhood Infrastructure (Voted 2008) / \$1,300,310.00 / \$300,000.00 / \$1,600,310.00  
704 / 530161-100106 / Roadway Improvements - Utility Cut and Restoration (Voted 2008) / \$300,000.00 / (\$300,000.00) / \$0.00

**SECTION 2.** That the City Auditor be and is hereby authorized to transfer cash and appropriation within the Streets and Highways G.O. Bonds Fund, No. 704, as follows:

Transfer from:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 440104-100006 / 2012 Neighborhood Infrastructure / 06-6600 / 741046 / \$300,000.00

Transfer to:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530161-100106 / Roadway Improvements - Utility Cut and Restoration / 06-6600 / 746116 / \$300,000.00

**SECTION 3.** That the Director of Public Service be and is hereby authorized to enter into contract with Decker Construction Co., 3040 McKinley Avenue, Columbus, Ohio 43204 for the Roadway Improvements - Utility Cut & Restoration (2013) contract in the amount of \$300,000.00 or so much thereof as may be needed in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved.

**SECTION 4.** That for the purpose of paying the cost of this contract, the sum of \$300,000.00, or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 530161-100106 / Roadway Improvements - Utility Cut and Restoration / 06-6631 / 746116 / \$300,000.00

**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 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.