



## Legislation Details (With Text)

**File #:** 0932-2010      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/15/2010      **In control:** Public Service & Transportation Committee  
**On agenda:** 6/28/2010      **Final action:** 7/1/2010

**Title:** To authorize the Director of Public Service to enter into a contract with Columbus Asphalt Paving, Inc, for construction of the Roadway Improvements - Universal Road /Fairwood Avenue to Progress Avenue Improvement project for the Division of Design and Construction; to appropriate and authorize the City Auditor to transfer \$965,901.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the appropriation and expenditure of \$965,901.00 from the Streets and Highways GO Bonds Fund; and to declare an emergency. (\$965,901.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 0932-2010 Bid Recommendation Memo - Universal Road.pdf

Date	Ver.	Action By	Action	Result
7/1/2010	1	CITY CLERK	Attest	
6/30/2010	1	MAYOR	Signed	
6/28/2010	1	Columbus City Council	Approved	Pass
6/28/2010	1	COUNCIL PRESIDENT	Signed	
6/18/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
6/18/2010	1	Service Drafter	Sent for Approval	
6/18/2010	1	ODI DIRECTOR	Reviewed and Approved	
6/18/2010	1	Service Drafter	Sent for Approval	
6/18/2010	1	CITY AUDITOR	Reviewed and Approved	
6/18/2010	1	CITY AUDITOR	Reviewed and Approved	
6/18/2010	1	Service Drafter	Sent for Approval	
6/18/2010	1	CITY ATTORNEY	Reviewed and Approved	
6/18/2010	1	Service Drafter	Sent to Clerk's Office for Council	
6/17/2010	1	Service Drafter	Sent for Approval	
6/17/2010	1	Finance Reviewer	Reviewed and Approved	Fail
6/17/2010	1	Finance Reviewer	Reviewed and Approved	
6/16/2010	1	SERVICE DIRECTOR	Reviewed and Approved	
6/16/2010	1	Service Drafter	Sent for Approval	
6/16/2010	1	EBOCO Reviewer	Sent for Approval	
6/15/2010	1	Service Drafter	Sent for Approval	
6/15/2010	1	Service Reviewer	Reviewed and Approved	

6/15/2010 1 Service Drafter Sent for Approval

**1. BACKGROUND**

The City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the Roadway Improvements - Universal Road /Fairwood Avenue to Progress Avenue Improvement project. This legislation authorizes the Director of Public Service to enter into contract for the construction of this project and provides funding for construction inspection. This improvement reconstructs Universal Road between Fairwood Avenue and Progress Avenue. 4400 feet of 5 foot wide sidewalks and 7 curb ramps will be added or reconstructed as part of this project. The project also consists of curb and gutter construction and storm sewer improvements. These improvements will provide multi-modal transportation facilities and improve drainage.

The estimated Notice to Proceed date is July 22, 2010. The project was let by the Office of Support Services through vendor services. 5 bids were received on June 3, 2010 (5 majority, 0 minority) and tabulated on June 4, 2010 as follows:

Company Name	Bid Amt	City/State	Majority/MBE/FBE
Columbus Asphalt Paving, Inc.	\$878,091.50	Gahanna, OH	Majority
Decker Construction Company	\$943,409.82	Columbus, OH	Majority
Complete General Construction	\$961,701.70	Columbus, OH	Majority
Trucco Construction Company	\$1,063,176.41	Delaware, OH	Majority
Nickolas Savko & Sons, Inc.	\$1,132,049.30	Columbus, OH	Majority

Award is to be made to Columbus Asphalt Paving, Inc., as the lowest, best, most responsive and most responsible bidder.

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

**2. CONTRACT COMPLIANCE**

Columbus Asphalt Paving, Inc's contract compliance number is 310857095 and expires 1/12/12.

**3. FISCAL IMPACT**

This project is budgeted within the 2010 Capital Improvement Budget. This expense can be accommodated within the Streets and Highways G.O. Bonds Fund, Universal Road between Fairwood Avenue and Progress Avenue, by appropriating and transferring \$965,901.00 within the Special Income Tax Fund. This funding method is a temporary measure and this amount will be restored to the Special Income Tax Fund subsequent to the next note/bond sale for the Division of Planning and Operations Capital Improvement Projects.

**4. EMERGENCY DESIGNATION**

Emergency action is requested to allow this project to proceed on schedule and alleviate localized roadway and flooding issues.

To authorize the Director of Public Service to enter into a contract with Columbus Asphalt Paving, Inc, for construction of the Roadway Improvements - Universal Road /Fairwood Avenue to Progress Avenue Improvement project for the Division of Design and Construction; to appropriate and authorize the City Auditor to transfer \$965,901.00 from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund; to authorize the appropriation and expenditure of \$965,901.00 from the Streets and Highways GO Bonds Fund; and to declare an emergency. (\$965,901.00)

**WHEREAS**, bids were received on June 3, 2010, and tabulated on June 4, 2010, for the Roadway Improvements - Universal Road /Fairwood Avenue to Progress Avenue Improvement project and a satisfactory bid has been received; and

**WHEREAS**, it is necessary to provide for construction inspection costs; and

**WHEREAS**, it is necessary to transfer funds from the Special Income Tax Fund to the Streets and Highways G.O. Bonds Fund for this project; and

**WHEREAS**, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

**WHEREAS**, this transfer should be considered as a temporary funding method; and

**WHEREAS**, the aggregate principal amount which the city will issue to finance this project is presently expected not to exceed

\$965,901.00; and

**WHEREAS**, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project"); and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Design and Construction in that the contract should be awarded immediately to alleviate localized roadway and flooding issues; 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 enter into a contract with Columbus Asphalt Paving, Inc, 1196 Technology Drive, Gahanna, OH, 43230, for the construction of the Roadway Improvements - Universal Road /Fairwood Avenue to Progress Avenue Improvement project in the amount of \$878,091.50, in accordance with the specifications and plans on file in the Office of the Support Services; and to obtain and pay for the necessary inspection costs associated with this project up to a maximum of \$87,809.50.

**Section 2.** The sum of \$965,901.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, 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 ending December 31, 2010 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

**Section 3.** That the City Auditor is hereby authorized to transfer said funds to the Streets and Highways G.O. Bonds Fund, 704, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

**Section 4.** That the sum of \$965,901.00 be and hereby is appropriated from the unappropriated balance of Fund 704, The Streets and Highways G.O. Bonds Fund, 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 ending December 31, 2010 to Dept-Div. 59-12, for the Division of Design and Construction as follows:

Fund / Project # / Project / Object Level Three Codes / OCA Code

704 / 530161-100077 / Roadway Improvements - Universal Road /Fairwood Avenue to Progress Avenue / 06-6600 / 746177 / \$965,901.00

**Section 5.** That the monies appropriated in the foregoing Section 4 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**Section 6.** That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount to repay the Special Income Tax Fund the amount transferred under Section 3 above.

**Section 7.** That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract(s) or contract modification(s) associated with the expenditure of the funds transferred under Section 3 above.

**Section 8.** That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$965,901.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

**Section 9.** All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

**Section 10.** That for the purpose of paying the cost of the contract and inspection, the sum of \$965,901.00 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:

**Division of Design and Construction, Dept-Div 59-12:**

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

704 / 530161-100077 / Roadway Improvements - Universal Road / Fairwood Avenue to Progress Avenue / 06-6631 / 746177 / \$965,901.00

**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 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.