



Legislation Details (With Text)

File #: 1729-2024 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/7/2024 **In control:** Public Service & Transportation Committee

On agenda: 7/15/2024 **Final action:** 7/18/2024

Title: To authorize the Director of the Department of Public Service to enter into a contract modification with Decker Construction Company for the Roadway - Utility Cut and Repair 2022 project to extend the contract term date and to add funding to the contract; to authorize the expenditure of \$325,000.00 for the contract from the Street Construction Maintenance and Repair Fund. (\$325,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ord. 1729-2024 Accounting Template

Date	Ver.	Action By	Action	Result
7/18/2024	1	CITY CLERK	Attest	
7/17/2024	1	ACTING MAYOR	Signed	
7/15/2024	1	COUNCIL PRESIDENT	Signed	
7/15/2024	1	Columbus City Council	Approved	Pass
7/1/2024	1	Columbus City Council	Read for the First Time	

1. BACKGROUND

This legislation authorizes the Director of Public Service to renew and modify an existing contract with Decker Construction Company for the Roadway - Utility Cut and Repair 2022 project in an amount up to \$325,000.00.

The Department of Public Service is responsible for maintaining the City's roadway system in a safe manner. The contract work includes performing various backfill and pavement restorations for excavations from deposited permits at various locations around the City of Columbus on an on-call basis.

Ordinance 2948-2022 authorized the Director of Public Service to enter into a contract with Decker Construction Company for the Roadway - Utility Cut and Repair 2022 project and to provide for construction administration and inspection services. Language included in the contract reserved the right to extend the contract and funding with the concurrence of the contractor. This is the second contract modification of two. The work performed to date for this project consists of various backfill, pavement restoration for excavation from deposited permits throughout the city on an on-call basis.

Ordinance 1987-2023 authorized the Director of Public Service to enter into the first contract modification with Decker Construction Company for the Roadway - Utility Cut and Repair 2022 service contract. The work for modification 2 will consist of a continuation of PO357970 and PO406556.

The original contract and subsequent modifications reserved the right to extend the contract and funding on a year-to-year bases until October 31, 2025, as stated in the bid documents. With this ordinance, the City is extending the contract term to expire October 31, 2027.

1.1 Amount of additional funds to be expended: \$325,000.00

The original contract amount, no inspection: \$325,000.00 (PO357970, Ord. 2948-2022)

The total of Modification No. 1, no inspection:	\$325,000.00	(PO406556, Ord. 1987-2023)
The total of Modification No. 2, no inspection:	<u>\$325,000.00</u>	(This Ordinance)
The contract amount including all modifications:	\$975,000.00	

1.2 Reasons additional goods/services could not be foreseen:

Language included in the contract reserved the right to extend the contract and funding on a year-to-year basis with the concurrence of the contractor for up to two additional years. This is the second and final contract modification.

1.3 Reason other procurement processes are not used:

As a part of the original contract, the allowance of two contract modifications and extensions were included and authorized.

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/contracts.

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

2. CONTRACT COMPLIANCE

The contract compliance number for Decker Construction Company is CC004549 and expires 11/3/25.

3. PRE-QUALIFICATION STATUS

This is a service contract so construction pre-qualification is not required.

4. FISCAL IMPACT

This is a budgeted item within Fund 2265, the Street Construction Maintenance and Repair Fund. Funds are appropriated.

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

This contract opportunity was submitted to the City's Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding. ODI determined there was not an opportunity for MBE/WBE participation in this contract and did not assign a goal. This contract was not bid with a City of Columbus MBE/WBE Program goal and the requirements of the City's MBE/WBE Program are not applicable to this contract.

To authorize the Director of the Department of Public Service to enter into a contract modification with Decker Construction Company for the Roadway - Utility Cut and Repair 2022 project to extend the contract term date and to add funding to the contract; to authorize the expenditure of \$325,000.00 for the contract from the Street Construction Maintenance and Repair Fund. (\$325,000.00)

WHEREAS, contract no. PO357970 with Decker Construction Company, in the amount of \$325,000.00 was authorized by ordinance no. 2948-2022; and

WHEREAS, contract no. PO406556 with Decker Construction Company, in the amount of \$325,000.00 was authorized by ordinance no. 1987-2023; and

WHEREAS, it has become necessary to modify the contract; and

WHEREAS, the Department of Public Service and Decker Construction Company both desire to renew and extend the contract; and

WHEREAS, this is the second contract modification of two that are authorized; and

WHEREAS, it is necessary to provide for payment for work performed as part of the contract renewal; and

WHEREAS, this contract opportunity was submitted to the City's Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding; and

WHEREAS, ODI determined there was not an opportunity for MBE/WBE participation in this contract and did not assign a goal; and

WHEREAS, the Department desires to extend the contract term date through October 31, 2027; **NOW, THEREFORE,**

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

SECTION 1. That the Director of the Department of Public Service be and hereby is authorized to enter into a contract renewal and modification with Decker Construction Company, 3040 McKinley Avenue, Columbus, Ohio, 43204, for the Roadway - Utility Cut and Repair 2022 project in the amount of up to \$325,000.00, or so much thereof as may be needed, and to extend the contract term date through October 31, 2027.

SECTION 2. That the expenditure of \$325,000.00 or so much thereof as may be needed, is hereby authorized in Fund 2265 (the Street Construction and Maintenance Repair Fund), Dept-Div 5911 (Infrastructure Management), in Object Class 03 (Purchased Services) per the accounting codes in the attachment to this ordinance.

SECTION 3. 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 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.