



## Legislation Details (With Text)

**File #:** 1603-2024      **Version:** 1

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

**File created:** 5/29/2024      **In control:** Public Service & Transportation Committee

**On agenda:** 6/24/2024      **Final action:** 6/26/2024

**Title:** To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a contract modification with Evans, Mechwart, Hambleton & Tilton in connection with the Roadway - General Engineering 2020 project; to authorize the expenditure of up to \$200,000.00 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$200,000.00)

**Sponsors:**

**Indexes:** MBE Participation, WBE Participation

**Code sections:**

**Attachments:** 1. Ord 1603-2024 Accounting Template

Date	Ver.	Action By	Action	Result
6/26/2024	1	CITY CLERK	Attest	
6/25/2024	1	MAYOR	Signed	
6/24/2024	1	COUNCIL PRESIDENT	Signed	
6/24/2024	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to modify a professional services contract with Evans, Mechwart, Hambleton & Tilton (EMH&T) in the amount of up to \$200,000.00 for the Roadway - General Engineering 2020 project.

The intent of this project is to provide the City of Columbus, Department of Public Service, additional resources to perform professional engineering and survey services as well as provide technical expertise for the Department to complete its capital budget commitments.

Ordinance 0410-2020 authorized the Director of Public Service to enter into a professional services contract with EMH&T in the amount of up to \$250,000.00 for the Roadway - General Engineering 2020 project. Ordinance 1936-2022 authorized the Director of Public Service to modify the contract in the amount of \$370,000.00. This ordinance authorizes the Director of Public Service to modify the contract in the amount of \$200,000.00.

#### **1.1 Amount of additional funds to be expended: \$200,000.00**

The original contract amount:	\$250,000.00	(PO215262, Ord. 0410-2020)
The total of Modification No. 1:	\$370,000.00	(PO338071, Ord. 1936-2022)
The total of Modification No. 2:	<u>\$200,000.00</u>	<u>(This Ordinance)</u>
The contract amount including all modifications:	\$820,000.00	

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

This modification is necessary to add funding for additional tasks identified that need to be completed to support identified projects. Design plans, estimates, contract documents, autocad files, reports and supporting information related to the design of the following projects: Roberts Road bridge widening over Clover Groff Run, Rectangular Rapid Flashing Beacons on Central College Road and Warner Road as part of the Central College Road and Ulry Road projects.

As well as formatting the Fee Guidance Memo to follow the same style and layout of the Design Memos being prepared for the City.

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

The anticipated schedule for these tasks would be significantly delayed if they were bid out under a new contract. The designer also has established knowledge and experience with the tasks, bidding these tasks out would result in higher costs and longer schedules. It was deemed to be more cost efficient to modify the existing contract than to bid this part of the work.

**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 contract.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against EMH&T.

**2. CONTRACT COMPLIANCE**

The contract compliance number for EMH&T is CC004214 and expires 11/8/2025.

**3. FISCAL IMPACT**

Funding in the amount of \$200,000.00 is available and appropriated within the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2023 Capital Improvements Budget and a transfer of funding is necessary to align funding for these project expenditures.

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

This expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise program and as such is not a part of the program.

**5. EMERGENCY DESIGNATION**

Timely preparation and delivery of the plans associated with the noted tasks will be required in order to meet the schedule established for these tasks. Emergency action is requested to complete the project in a timely manner, to preserve the safety of the traveling public.

To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a contract modification with Evans, Mechwart, Hambleton & Tilton in connection with the Roadway - General Engineering 2020 project; to authorize the expenditure of up to \$200,000.00 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$200,000.00)

**WHEREAS**, contract no. PO215262 with Evans, Mechwart, Hambleton & Tilton, in the amount of \$250,000.00, was authorized by ordinance no. 0410-2020; and

**WHEREAS**, contract no. PO338071 with Evans, Mechwart, Hambleton & Tilton, in the amount of \$370,000.00, was authorized by ordinance no. 1936-2022; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$200,000.00 and provide additional funds for the Roadway - General Engineering 2020 project; and

**WHEREAS**, it is necessary to amend the 2023 Capital Improvement Budget and transfer cash to provide funding for project expenditures; and

**WHEREAS**, it is necessary to expend funds relative to the project; and

**WHEREAS**, this expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise Program and as such is not a part of the program; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director to enter into a contract modification with Evans, Mechwart, Hambleton & Tilton to prevent delays in the project schedule and to preserve the safety of the traveling public, all for the immediate preservation of the public health, peace, property, safety and welfare; and **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 to establish sufficient authority for this project:

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

7704 / P530053-100003 / Downtown Streetscape - Short North SID -- High Street Improvements Phase 3 (Voted Carryover) / \$253,537.00 / (\$200,000.00) / \$53,537.00

7704 / P530161-100213 / Roadway - General Engineering 2020 (Voted Carryover) / \$0.00 / \$200,000.00 / \$200,000.00

**SECTION 2.** That the transfer of \$200,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530053-100003 (Downtown Streetscape - Short North SID -- High Street Improvements Phase 3), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530161-100213 (Roadway - General Engineering 2020), Object Class 06 (Capital Outlay) between projects per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Service be, and hereby is, authorized to enter into a contract modification with EMH&T at 5500 New Albany Road, Columbus, Ohio 43054, for the Roadway - General Engineering 2020 project in the amount of \$200,000.00, or so much thereof as may be needed, in accordance with the plans and specifications on file in the Department of Public Service, which are hereby approved.

**SECTION 4.** That the expenditure of \$200,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction), Project P530161-100213 (Roadway - General Engineering 2020), Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** 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 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.