



## Legislation Details (With Text)

**File #:** 3169-2023      **Version:** 1

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

**File created:** 11/6/2023      **In control:** Public Service & Transportation Committee

**On agenda:** 12/11/2023      **Final action:** 12/14/2023

**Title:** To authorize the Director of the Department of Public Service to enter into agreements with and to accept contributions from the City of Bexley; to, as necessary, authorize the acceptance of additional funds from the City of Bexley or to return any unused contributions to the same; 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 professional services contract with OHM Advisors for the Roadway - Livingston Avenue - Alum Creek Trail to James Road project; and to authorize the expenditure of up to \$600,000.00 from the Street and Highway Bond Fund to pay for this contract. (\$600,000.00)

**Sponsors:**

**Indexes:** MBE Participation, WBE Participation

**Code sections:**

**Attachments:** 1. Ord 3169-2023 Accounting Template, 2. Ord 3169-2023 Map, 3. Ord 3169-2023 Subconsultants

Date	Ver.	Action By	Action	Result
12/14/2023	1	ACTING CITY CLERK	Attest	
12/13/2023	1	MAYOR	Signed	
12/11/2023	1	COUNCIL PRESIDENT	Signed	
12/11/2023	1	Columbus City Council	Approved	Pass
12/4/2023	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into professional services contracts with OHM Advisors (Orchard, Hiltz & McCliment, Inc.) in the amount of up to \$600,000.00 for the Roadway - Livingston Ave - Alum Creek Trail to James Rd project.

Additionally, this ordinance authorizes the Director of Public Service to enter into agreements with and to accept funds from the City of Bexley (Bexley) to advance the project; and to, as necessary, authorize the acceptance of additional funding from Bexley or the return of any unexpended design funding to the same after final accounting has been performed or the Department of Public Service certifies that any remaining funds are no longer needed for the project and can be refunded without the need for additional legislative action.

The intent of this project is to provide the City of Columbus, Department of Public Service, additional resources for improvements to Livingston Avenue including replacement of the existing traffic signals at the intersections of College Avenue, Roosevelt Avenue, and Kenwick Road; replacement of sidewalk along both sides with shared use paths; modification to the existing pavement to remove the Berwick Blvd. connection from the intersection at Berwick Blvd. and College Avenue; street lighting upgrades; and addition of landscaped medians.

Having recognized the public benefit of said improvements, Bexley has allocated funding to support the completion of the design phase of the aforementioned project, necessitating the execution of contribution agreements, any amendments or modifications thereto, with Bexley to facilitate the acceptance and expenditure of said funds by the Department of Public Service for that purpose, and the refund of any funds that may be unused.

Future modifications of the contract are expected using funds contributed by Bexley.

The Department of Public Service, Office of Support Services, solicited Requests for Proposals for the Roadway - Livingston Ave - Alum Creek Trail to James Rd contract. The project was formally advertised on the Vendor Services and Bonfire web sites from July 12, 2023, to August 9, 2023. The City received five (5) responses. All proposals were deemed responsive and were fully evaluated when the Evaluation Committee met on August 31, 2023. The responding firms were:

<u>Company Name</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
OHM Advisors	Columbus, OH	MAJ
E.L. Robinson Engineering of Ohio	Grandview Heights, OH	MAJ
Woolpert, Inc	Columbus, OH	MAJ
American Structurepoint	Columbus, OH	MAJ
GPD Group	Columbus, OH	MAJ

OHM Advisors received the highest score by the evaluation committee and will be awarded the Roadway - Livingston Ave - Alum Creek Trail to James Rd contract.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against OHM Advisors.

OHM Advisors certification was in good standing at the time the bid was awarded.

As part of their bid, OHM Advisors has proposed the following subcontractors to work on the project:

<u>Company Name</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
2LMN	Columbus, Ohio	MBE
Burgess & Niple	Columbus, Ohio	MAJ
NEAS	Columbus, Ohio	MBE
Lawhon & Associates	Columbus, Ohio	WBE
E.L. Robinson	Grandview Heights, Ohio	MAJ

**2. CONTRACT COMPLIANCE**

OHM Advisor’s contract compliance number is CC007505 and expires 10/16/2025.

**3. FISCAL IMPACT**

Funding in the amount of \$600,000.00 is available and appropriated within the Streets and Highways Bond Fund, Fund 7704 within the Department of Public Service. An amendment to the 2023 Capital Improvements Budget and a transfer of funds are necessary to align funding for these project expenditures.

Future modifications of the contract are anticipated with a portion of the funding to come from the City of Bexley after the execution of a Contribution Agreement. Separate legislation authorizing the expenditure of these funds and the City's share of funding for this project will be put forth at a later time. The funds will be deposited in Fund 7766, the Street and Highway Improvement Fund when they arrive.

**4. 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 20% as assigned by the City’s Office of Diversity and Inclusion (ODI). Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the “City’s Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual” and in the “City of Columbus MBE/WBE Program Special Provision” that

were part of the bid documents for this contract.

To authorize the Director of the Department of Public Service to enter into agreements with and to accept contributions from the City of Bexley; to, as necessary, authorize the acceptance of additional funds from the City of Bexley or to return any unused contributions to the same; 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 professional services contract with OHM Advisors for the Roadway - Livingston Avenue - Alum Creek Trail to James Road project; and to authorize the expenditure of up to \$600,000.00 from the Street and Highway Bond Fund to pay for this contract. (\$600,000.00)

**WHEREAS**, the City of Bexley intends to contribute funding to subsidize the cost of professional engineering services necessary to the successful completion of the design phase of the Roadway - Livingston Avenue - Alum Creek Trail to James Road project; and

**WHEREAS**, the Director of Public Service must execute contribution agreements, and any amendments or modifications thereto, with the City of Bexley to facilitate the acceptance and expenditure of funding by the Department of Public Service for the aforementioned purpose; and

**WHEREAS**, it may be necessary to accept additional funds from the City of Bexley if the actual design costs exceed the preliminary cost estimate; and

**WHEREAS**, it may be necessary to issue a refund the City of Bexley after final accounting has been performed or after the Department of Public Service certifies that any remaining funds are no longer needed for the project and can be refunded, without the need for additional legislative action; and

**WHEREAS**, there is a need to enter into a professional services contract to provide for the Improvements to Livingston Avenue include replacement of the existing traffic signals at the intersections of College Avenue, Roosevelt Avenue, and Kenwick Road; replacement of sidewalk along both sides with shared use paths; modification to the existing pavement to remove the Berwick Blvd connection from the intersection at Berwick Blvd and College Avenue; street lighting upgrades; and addition of landscaped medians; and

**WHEREAS**, the Department of Public Service, Office of Support Services, solicited Requests for Proposals for the Roadway - Livingston Avenue - Alum Creek Trail to James Road project; and

**WHEREAS**, OHM Advisors submitted the best overall proposal for this project; and

**WHEREAS**, it is necessary to enter into a contract with OHM Advisors for the provision of professional engineering consulting services described above in the amount of up to \$600,000.00; and

**WHEREAS**, it is necessary to authorize an amendment to the 2023 Capital Improvement Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, it is necessary for Council to authorize a transfer of funds within Fund 7704, the Streets and Highways Bond Fund, to establish sufficient cash to pay for the project; 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**, this contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 20% as assigned by the City's Office of Diversity and Inclusion (ODI); **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 authority for this project:

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

7704 / P530161-100217 / Roadway - Livingston Ave-Nelson Rd to James Rd (Voted Carryover) / \$600,000.00 / (\$600,000.00) / \$0.00

7704 / P531081-100000 / Roadway - Livingston Ave - Alum Creek Trail to James Rd (Voted Carryover) / \$0.00 / \$600,000.00 / \$600,000.00

**SECTION 2.** That the transfer of \$600,000.00, 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 P530161-100217 (Roadway - Livingston Ave - Nelson Rd to James Rd), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P531081-100000 (Roadway - Livingston Ave - Alum Creek Trail to James Rd), Object Class 06 (Capital Outlay) 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 professional services contract with OHM Advisors 580 North Fourth Street, Columbus, Ohio 43215, for the Roadway - Livingston Ave - Alum Creek Trail to James Rd project in an amount up to \$600,000.00.

**SECTION 4.** That the expenditure of \$600,000.00, 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 P531081-100000 (Roadway - Livingston Ave - Alum Creek Trail to James Rd), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That the Director of Public Service be and hereby is authorized to enter into agreements with and to accept contributions from the City of Bexley for the Roadway - Livingston Avenue - Alum Creek Trail to James Road project, and to modify those agreements if necessary to accept additional contributions from the City of Bexley for the design of the project.

**SECTION 6.** That the Director of Public Service be and hereby is authorized, as necessary, to accept additional funds from the aforementioned entity should the amounts of their initial deposits prove insufficient to support their respective share of actual design costs or to return any unexpended project funding to the same after final accounting has been performed or the Department of Public Service certifies that any remaining funds are no longer needed for the project and can be refunded, without the need for additional legislative action.

**SECTION 7.** 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 8.** 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 9.** 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 10.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.