



## Legislation Details (With Text)

**File #:** 2186-2017      **Version:** 1

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

**File created:** 8/7/2017      **In control:** Public Service & Transportation Committee

**On agenda:** 9/11/2017      **Final action:** 9/13/2017

**Title:** To amend the 2017 Capital Improvements Budget; to transfer funds between projects within the Streets and Highways Bond Fund; to waive the competitive bidding requirements of Columbus City Code; to authorize the Director of Public Service to modify and increase the contract with Kokosing Construction Company, Inc., in connection with Resurfacing - 2017 Project 1; to authorize the expenditure of up to \$210,036.30 from the Streets and Highways Bond Fund; and to declare an emergency. (\$210,036.30)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2186-2017 Constr Mod 1 Resurfacing 17 P1, 2. bid waiver form

Date	Ver.	Action By	Action	Result
9/13/2017	1	CITY CLERK	Attest	
9/12/2017	1	MAYOR	Signed	
9/11/2017	1	Columbus City Council	Approved	Pass
9/11/2017	1	COUNCIL PRESIDENT	Signed	

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to modify and increase an existing contract with Kokosing Construction Company, Inc. for Resurfacing - 2017 Project 1 in an amount up to \$192,693.85, and to provide for construction administration and inspection services in an amount up to \$17,342.45, for a total of \$210,036.30.

Ordinance 0487-2017 authorized the Director of Public Service to enter into a contract with Kokosing Construction Company, Inc. for the construction of Resurfacing - 2017 Project 1 and to provide for construction administration and inspection services. This contract consists of resurfacing 130 City streets and constructing 593 associated ADA Curb Ramp Improvements throughout the City.

The work for modification 1 will consist of coordination of resurfacing of Indianola Avenue for the re-configuration of traffic lanes from East North Broadway to Morse Road. This area of Indianola Avenue will go from four lanes to two lanes with a shared left turn lane and the installation of a bike lane in each direction. The work also includes the modification of traffic signals, pavement markings and signage to coordinate with the new lane configurations.

The original contract amount, no inspection: \$10,290,143.72 (PO053129, Ord. 0487-2017)  
The total of Modification No. 1, no inspection: \$192,693.85 (This Ordinance)  
The contract amount including all modifications: \$10,482,837.57

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

### 2. UNPLANNED MODIFICATION

This is an unplanned modification. The Indianola Avenue work was originally intended to be part of the Resurfacing -

2017 Project 1 package but plans could not be completed before the project was to be bid. Adding the work for Indianola Avenue to the resurfacing package ensures traffic control coordination and eliminates double-work that would result from bidding Indianola Avenue as a stand-alone project. The bid prices for Resurfacing - 2017 Project 1 were very favorable, which will allow the additional work for Indianola Avenue to be done more cost efficiently than bidding as a stand-alone project.

### **3. WAIVER OF COMPETITIVE BIDDING**

The Department is seeking approval under Columbus City Code Section 329.15 to waive competitive bidding for the selection of construction services for the resurfacing of Indianola Avenue. The additional work is similar to the Resurfacing - 2017 Project 1 contract work, and it is more cost-effective to modify the current contract with Kokosing Construction Company, Inc. due to the established bid item costs and project timeline.

### **4. CONTRACT COMPLIANCE**

The contract compliance number for Kokosing Construction Company, Inc. is CC004610 (Vendor No. 004610) and expires 3/7/18.

### **5. PRE-QUALIFICATION STATUS**

Kokosing Construction Company, Inc., and all proposed trades subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

### **6. FISCAL IMPACT**

Funding in the amount of \$210,036.30 is available within Fund 7704 Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2017 Capital Improvements Budget and a transfer of funds are necessary to align funding for these project expenditures.

### **7. EMERGENCY DESIGNATION**

Emergency action is requested to prevent unnecessary delays in the completion of the Indianola Avenue work and keeping the project on schedule, thereby preserving the public health, peace, safety, and welfare of the travelling public.

To amend the 2017 Capital Improvements Budget; to transfer funds between projects within the Streets and Highways Bond Fund; to waive the competitive bidding requirements of Columbus City Code; to authorize the Director of Public Service to modify and increase the contract with Kokosing Construction Company, Inc., in connection with Resurfacing - 2017 Project 1; to authorize the expenditure of up to \$210,036.30 from the Streets and Highways Bond Fund; and to declare an emergency. (\$210,036.30)

**WHEREAS**, contract no. PO053129, in the amount of \$10,290,143.72, was authorized by ordinance no. 0487-2017; and

**WHEREAS**, the Department of Public Service has determined it to be in the City's best interest to modify the subject contract for the purpose of performing additional work in Resurfacing - 2017 Project 1, for the re-configuration of existing traffic lanes on Indianola Avenue (East North Broadway to Morse Road) from 4 lanes to two lanes with a shared left turn lane and the installation of a bike lane in each direction including the modification of traffic signals, pavement markings, and signage to coordinate with the new lane configurations; and

**WHEREAS**, this is an unplanned modification and the Director of Public Service may request additional, future modifications for additional work; and

**WHEREAS**, it is in the City's best interest to waive competitive bidding requirements of Chapter 329 City Code to enter into a modification in an amount up to \$192,693.85 with Kokosing Construction Company, Inc.; and

**WHEREAS**, the total contract amount, including this modification, is \$10,482,837.57; and

**WHEREAS**, it is necessary to provide for an additional contract payment of \$192,693.85 and construction administration

and inspection services of \$17,342.45 for that project; and

**WHEREAS**, it is necessary to amend the 2017 Capital Improvement Budget and transfer cash to align funding for project expenditures; 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 Kokosing Construction Company, Inc., and to authorize the encumbrance and expenditure of requisite funds to facilitate the completion of unplanned improvements for Resurfacing - 2017 Project 1 in a timely manner, thereby preserving the public health, peace, safety, and welfare; **now, therefore**

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

**SECTION 1.** That the 2017 Capital Improvements Budget authorized by Ordinance 1124-2017 be amended to establish sufficient authority for this project:

**Department of Public Service:**

**Fund / Project / Project Name / Current C.I.B. / Amendment Amount / C.I.B. as Amended**

7704 / P440005-100000 / UIRF (Unvoted Carryover) / \$1,192,811.00 / (\$210,037.00) / \$982,774.00

7704 / P530282-912017/ Resurfacing - 2017 Project 1 (Unvoted Carryover) / \$0.00 / \$210,037.00 / \$210,037.00

**SECTION 2.** That the transfer of \$210,036.30, or so much thereof as may be needed, is hereby authorized between projects within Fund 7704 Streets and Highways Bond Fund per the accounting 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 Kokosing Construction Company, Inc., 886 McKinley Avenue, Columbus, Ohio 43222, for Resurfacing - 2017 Project 1 in the amount of \$192,693.85, 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; and to pay for necessary inspection costs associated with the project up to a maximum of \$17,342.45.

**SECTION 4.** That the expenditure of \$210,036.30, or so much thereof as may be needed, is hereby authorized in Fund 7704 Streets and Highways Bond Fund in object class 06 Capital Outlay per the accounting codes in the attachment to this Ordinance.

**SECTION 5.** That City Council has determined that it is in the best interest of the City of Columbus to waive the competitive bidding provisions of City Code Chapter 329.

**SECTION 6.** 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 7.** 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 8.** 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 9.** 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.