



## Legislation Details (With Text)

**File #:** 0755-2024      **Version:** 1

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

**File created:** 3/7/2024      **In control:** Public Service & Transportation Committee

**On agenda:** 3/25/2024      **Final action:** 3/27/2024

**Title:** To authorize the Interim Director of Public Service to modify the contract with True Inspection Services, LLC for the Roadway - Material Testing and Inspection 2022-1 project; to authorize the expenditure of up to \$150,000.00 from the Private Construction Inspection Fund and up to \$350,000.00 from the Construction Inspection Fund to pay for the contract; and to declare an emergency. (\$500,000.00)

**Sponsors:**

**Indexes:** MBE Participation, WBE Participation

**Code sections:**

**Attachments:** 1. Ord. 0755-2024 Accounting Template

Date	Ver.	Action By	Action	Result
3/27/2024	1	CITY CLERK	Attest	
3/26/2024	1	MAYOR	Signed	
3/25/2024	1	COUNCIL PRESIDENT	Signed	
3/25/2024	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance authorizes the Interim Director of Public Service to modify a professional services contract with True Inspection Services, LLC to add additional funds for the Roadway - Materials Testing and Inspection 2022-1 project.

Ordinance 2968-2022 authorized the Director of Public Service to enter into a professional services contract with True Inspection Services, LLC for the Roadway - Materials Testing and Inspection 2022-1 project. The intent of this contract is to provide the Department of Public Service with continuing, contractual access to additional resources that are necessary to provide inspection expertise and material testing for the department’s construction projects.

#### **1.1 Amount of additional funds to be expended: \$500,000.00**

The original contract amount:	\$500,000.00	(PO358969, Ord. 2968-2022)
The total of Modification No. 1:	\$500,000.00	(This Ordinance)
The contract amount including all modifications:	\$1,000,000.00	

#### **1.2 Reasons additional goods/services needed:**

This is a planned modification that is a continuation of construction inspection services and materials testing for City of Columbus projects. This contract could also be used for non-City projects for which the City is providing construction inspection services and materials testing. This modification is necessary to allow construction to continue on projects currently being built and for construction to start on recently awarded projects. It was deemed to be more cost efficient to modify the existing contract than to bid this part of the work.

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

The current contract was anticipated to be modified at origination, it was decided that it is in the best interest of the City to modify the existing contract instead of bidding 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 proposal/contract.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against True Inspection Services, LLC.

**2. CONTRACT COMPLIANCE**

The contract compliance number for True Inspection Services, LLC is MBE-011399 and expires 10/19/2024.

**3. FISCAL IMPACT**

Funding for this contract is available and appropriated within Fund 2241, the Private Construction Inspection Fund, and within Fund 5518, the Construction Inspection Fund.

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

This contract was bid with a 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.

**5. EMERGENCY DESIGNATION**

Emergency action is requested to expedite this contract to allow the needed inspection and testing services to continue uninterrupted, maintaining established capital project construction schedules.

To authorize the Interim Director of Public Service to modify the contract with True Inspection Services, LLC for the Roadway - Material Testing and Inspection 2022-1 project; to authorize the expenditure of up to \$150,000.00 from the Private Construction Inspection Fund and up to \$350,000.00 from the Construction Inspection Fund to pay for the contract; and to declare an emergency. (\$500,000.00)

**WHEREAS**, contract no. PO358969 with True Inspection Services, LLC, in the amount of \$500,000.00, was authorized by ordinance no. 2968-2022; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$500,000.00 and provide additional funds for the Roadway - Materials Testing and Inspection 2022-1 project; and

**WHEREAS**, funding for the contract modification is available within Fund 2241, the Private Construction Inspection Fund, and within Fund 5518, the Construction Inspection Fund, to pay for the contract modification; and

**WHEREAS**, it is necessary to expend funds to pay for the services delivered under the contract modification; 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 a City of Columbus MBE/WBE Program goal of 20% as assigned by the City's Office of Diversity and Inclusion (ODI); and

**WHEREAS**, failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance; 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 Interim Director to modify the existing contract with True Inspection Services, LLC to add additional funding which is necessary to allow the needed inspection and testing services to continue

uninterrupted to prevent delays in the project schedule and 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 Interim Director of Public Service be, and hereby is, authorized to modify the existing professional service contracts with True Inspection Services, LLC located at 4200 Regent Street, Suite 200, Columbus, OH 43219 for the Roadway - Material Testing and Inspection 2022 - 1 project to add additional funding in an amount up to \$500,000.00.

**SECTION 2.** That the expenditure of \$150,000.00, or so much thereof as may be needed, is hereby authorized in Fund 2241 (Private Construction Inspection Fund), Dept-Div 5912 (Design and Construction), in Object Class 03 (Purchased Services) per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the expenditure of \$350,000.00, or so much thereof as may be needed, is hereby authorized in Fund 5518 (Construction Inspection Fund), Dept-Div 5912 (Design and Construction), in Object Class 03 (Purchased Services) per the accounting codes in the attachment to this ordinance.

**SECTION 4.** 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 5.** 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.