



## Legislation Details (With Text)

**File #:** 2474-2021      **Version:** 1

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

**File created:** 9/23/2021      **In control:** Public Service & Transportation Committee

**On agenda:** 10/18/2021      **Final action:** 10/21/2021

**Title:** To authorize the transfer and appropriation of funds within the Sidewalk Assessment Fund; to authorize the Director of Public Service to enter into a contract modification with Decker Construction Company in connection with the Pedestrian Safety Improvement - Sidewalk NOV Program 2021 project; to authorize the expenditure of up to \$158,385.50 from the Sidewalk Assessment Fund for the project; and to declare an emergency. (\$158,385.50)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ord 2474-2021 accounting template

Date	Ver.	Action By	Action	Result
10/21/2021	1	CITY CLERK	Attest	
10/20/2021	1	MAYOR	Signed	
10/18/2021	1	COUNCIL PRESIDENT	Signed	
10/18/2021	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to modify and increase an existing contract with Decker Construction Company for the Pedestrian Safety Improvement - Sidewalk NOV Program 2021 project in an amount up to \$137,726.60 and to add funding for additional construction administration and inspection costs in an amount up to \$20,658.90.

Ordinance 1861-2021 authorized the Director of Public Service to enter into a contract with Decker Construction Company for the construction of the Pedestrian Safety Improvement - Sidewalk NOV Program 2021 project and to provide for construction administration and inspection services. This project consists of the repair or replacement of damaged or deteriorated sidewalk, drive approach, or curb within the public right-of-way at various pre-determined locations throughout the City. Under City Code it is the property owner's responsibility to repair or replace these items. Public Service sends a notice of violation to the property owner notifying them they need to make the repairs or the City will make the repairs and charge the property owner. This contract will make repairs on any properties for which the property owner does not make the repairs.

Since the bid award it has been determined more work is required to repair the locations than was advertised in the bid documents. Modification 1 will add funding to the contract to allow for full funding of all repairs needed for all of the properties on the original repair list.

The original contract amount:	\$114,097.50	(PO284587, Ord. 1861-2021)
The total of Modification No. 1:	<u>\$137,726.60</u>	(This Ordinance)
The contract amount including all modifications:	\$251,824.10	

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 1/2/22.

**3. PRE-QUALIFICATION STATUS**

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

**4. FISCAL IMPACT**

Funding for this project is available in the Sidewalk Assessment Fund, Fund 7726. It is necessary to appropriate these funds and do an intra-fund transfer to align cash with the proper project.

**5. EMERGENCY DESIGNATION**

Emergency action is requested in order to complete needed improvements at the earliest possible time to ensure the safety of the traveling public.

To authorize the transfer and appropriation of funds within the Sidewalk Assessment Fund; to authorize the Director of Public Service to enter into a contract modification with Decker Construction Company in connection with the Pedestrian Safety Improvement - Sidewalk NOV Program 2021 project; to authorize the expenditure of up to \$158,385.50 from the Sidewalk Assessment Fund for the project; and to declare an emergency. (\$158,385.50)

**WHEREAS**, contract no. PO284587 with Decker Construction Company, in the amount of \$114,097.50, was authorized by Ordinance 1861-2021; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$137,726.60 for the purpose of performing additional construction work on the Pedestrian Safety Improvement - Sidewalk NOV Program 2021 project; and

**WHEREAS**, the Department of Public Service requires funding to be available for the Pedestrian Safety Improvement - Sidewalk NOV Program 2021 project for construction expense along with construction administration and inspection services; and

**WHEREAS**, funds must be appropriated and transferred within the Sidewalk Assessment Fund, Fund 7726, to establish cash in the proper project; and

**WHEREAS**, funds must be expended to pay for the work; 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 Decker Construction Company to complete needed improvements at the earliest possible time to ensure the safety of the traveling public, thereby preserving the public health, peace, property, safety, and welfare; **now, therefore**

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

**SECTION 1.** That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ended December 31, 2021, the sum of \$158,385.50 is appropriated in Fund 7726 (Sidewalk Assessment Fund), Dept-Div 5911 (Infrastructure Management), Project P590105-100131 (Pedestrian Safety Improvement - Sidewalk NOV Program 2021), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 2.** That the transfer of \$158,385.50, or so much thereof as may be needed, is hereby authorized within Fund 7726 (Sidewalk Assessment Fund), from Dept-Div 5911 (Infrastructure Management), Project P772601-100000 (Sidewalk Special Assessments) to Dept-Div 5911 (Infrastructure Management), Project P590105-100131 (Pedestrian

Safety Improvement - Sidewalk NOV Program 2021), 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 contract modification with Decker Construction Company, 3042 McKinley Avenue, Columbus, Ohio, 43204, for the Pedestrian Safety Improvement - Sidewalk NOV Program 2021 project in the amount of \$137,726.60, 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 additional construction administration and inspection costs associated with the project up to \$20,658.90.

**SECTION 4.** That the expenditure of \$158,385.50 or so much thereof as may be needed, is hereby authorized in Fund 7726 (Sidewalk Assessment Fund), from Dept-Div 5911 (Infrastructure Management), Project P590105-100131 (Pedestrian Safety Improvement - Sidewalk NOV Program 2021), in 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.