



## Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed  
**File created:** 11/12/2013      **In control:** Technology Committee  
**On agenda:** 12/9/2013      **Final action:** 12/11/2013

**Title:** To authorize the Director of Technology to modify and increase an existing construction contract with Gudenkauf Corporation to provide for additional investment in the City's fiber optic network, providing high speed connectivity; to authorize the expenditure of \$1,437,570.55 from the Information Services Capital Improvement Fund; and to declare an emergency. (\$1,437,570.55)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/11/2013	1	CITY CLERK	Attest	
12/11/2013	1	ACTING MAYOR	Signed	
12/9/2013	1	COUNCIL PRESIDENT	Signed	
12/9/2013	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This legislation authorizes the Director of the Department of Technology to modify and increase the construction contract with Gudenkauf Corporation for the Columbus Traffic Signal System (CTSS) Phase B project. This is the first modification to the original construction contract.

The Department of Public Service holds the original contract with Gudenkauf Corporation for their Columbus Traffic Signal System upgrade project (EL014141) and was authorized by ordinance 0504-2013 to award a contract pursuant to solicitation SA004723. Because the Department of Technology's project footprint will overlap with the Department of Public Service's project, it makes economical sense to modify this construction contract. This modification will provide for additional investment in the City's fiber network, providing high speed connectivity, as follows:

- New fiber to Fire Station 24, Police Sub 18, SRB
- New fiber at various locations in North Columbus
- Link Columbus FiberNet and the CityNet Fiber system in the downtown area to complete the activation of these fiber rings.

The fiber projects will provide diverse routing for many City locations which will prevent facility outages in the event of a fiber cut. Additional benefits to be realized are the elimination of leased circuit expenditures from the City's operating budget and increased network speeds at the new fiber connected facilities.

The cost of this modification is \$1,306,570.55. Work is to be completed within one year of a certified purchase order. The City had intended to complete these fiber projects through a separate agreement, but contract negotiations have stalled with the prospective contractor. So the need to modify the contract with Gudenkauf was not known at the time of

the original agreement. There is an immediate need to extend the City's fiber network to the critical public safety and other facilities outlined above; and given the recent award to Gudenkauf through competitive procurement, it is in the City's best interests to utilize the existing contract rather than alternate procurement methods. The cost of the work was negotiated with Gudenkauf with the pricing, terms and conditions remaining the same as the original contract. Even though this is a Department of Public Service contract, the Department of Technology will manage this contract modification, direct the work of the contractor related to the modification, and handle all administrative work associated with the modification.

In addition to the estimated cost of the projects, this ordinance requests to set aside \$131,000.00 in contingency to fund any unforeseen change orders associated with the task orders in this contract modification.

Original contract amount: \$11,069,451.48 (Ordinance 0504-2013, City Contract Number EL014141). Total contract amount, including this contract modification: \$12,507,022.03.

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

## **2. CONTRACT COMPLIANCE**

Gudenkauf Corporation's contract compliance number is 310908234 and expires 7/19/2014.

## **3. FISCAL IMPACT**

Sufficient funding in the amount of \$1,437,570.55 is available in the Information Services Capital Improvement Fund 514.

## **4. EMERGENCY DESIGNATION**

Emergency action is requested to initiate service from the contractor at the negotiated prices.

To authorize the Director of Technology to modify and increase an existing construction contract with Gudenkauf Corporation to provide for additional investment in the City's fiber optic network, providing high speed connectivity; to authorize the expenditure of \$1,437,570.55 from the Information Services Capital Improvement Fund; and to declare an emergency. (\$1,437,570.55)

**WHEREAS**, ordinance no. 0504-2013, passed March 18, 2013, authorized the Department of Public Service to contract with Gudenkauf Corporation through solicitation SA004723 for construction of the Columbus Traffic Signal System (CTSS) Phase B project; and

**WHEREAS**, there are immediate needs to invest in the City's fiber optic network to enable high speed connectivity at critical public safety and other City facilities; and

**WHEREAS**, it is in the City's best interests to modify the existing contract (EL014141) with Gudenkauf Corporation to address additional needs for fiber optic network connectivity; and

**WHEREAS**, this ordinance authorizes the Director of Technology to execute a construction contract modification for their fiber optic network project; and

**WHEREAS**, the Department of Technology will manage this contract modification, direct the work of the contractor related to the modification, and handle all administrative work associated with the modification; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology to expedite commencement of the fiber optic network projects, 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 the Director of the Department of Technology, be and is hereby authorized to modify an existing construction contract with Gudenkauf Corporation, 2679 McKinley Avenue, Columbus, OH 43204 (mailing address) for additional investment in the City's fiber optic network in the amount of up to \$1,437,570.55 in accordance with the specifications and plans, which are hereby approved.

**SECTION 2.** That for the purpose of paying the cost of this contract modification the sum of up to \$1,437,570.55 or so much thereof as may be needed, is hereby authorized to be expended from the Information Services Capital Improvement Fund 514 as follows:

**Dept-Div / Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount**

47-02 / 514-002 / 470046-100000 / Connectivity Project / 06-6655 / 514046 (carryover funds) / \$505,059.97

47-02 / 514-002 / 470046-100001 / Fiber / 06-6655 / 514346 (carryover funds) / \$932,510.58

**SECTION 3.** 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 4.** 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 5.** 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 6.** 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.