



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 2/6/2024 **In control:** Public Service & Transportation Committee

On agenda: 2/26/2024 **Final action:** 2/29/2024

Title: To authorize the transfer of funds within the E Broad Commercial TIF Fund; to transfer funds from each of the Lucent Incentive District TIF Fund and the E Broad Dominion TIF Fund to the Lucent Incentive District TIF Capital Fund and the E Broad Dominion TIF Capital Fund respectively; to appropriate funds within the Lucent Incentive District TIF Fund, E Broad Dominion TIF Fund, Lucent Incentive District TIF Capital Fund, the E Broad Dominion TIF Capital Fund, and E Broad Commercial TIF Capital Fund; to authorize the Interim Director of the Department of Public Service to enter into contract with Trucco Construction Co., Inc. for the Roadway - Westbourne Avenue Extension project; to authorize the expenditure of \$8,665,106.22 from the various TIF funds; and to declare an emergency. (\$8,665,106.22)

Sponsors:

Indexes: MBE Participation, WBE Participation

Code sections:

Attachments: 1. Ord 0472-2024 Accounting Template_2-6-24sb.pdf, 2. Ord 0472-2024 Goal Information.pdf

Date	Ver.	Action By	Action	Result
2/29/2024	1	CITY CLERK	Attest	
2/28/2024	1	MAYOR	Signed	
2/26/2024	1	COUNCIL PRESIDENT	Signed	
2/26/2024	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This ordinance authorizes the Interim Director of Public Service to enter into contract with Trucco Construction Company, Inc. for the Roadway - Westbourne Avenue Extension project and to provide payment for construction, construction administration and inspection services.

This contract includes the improvement of approximately 0.13 miles of Westbourne Avenue west of Taylor Station Road by resurfacing and widening it to add a southbound right turn lane, and the approximately 0.58 miles extension of Westbourne Avenue between Taylor Station Road and Blossom Field Boulevard. The improvements of the extension include full depth pavement, new curb and gutter, sidewalk, drives, storm sewer system, shared-use path, signage, waterline, tree plantings, and roadway lighting. The improvement will also include a roundabout and a placement of 0.22 miles of a new alignment, called Corrina Drive, south from the roundabout, including full depth pavement, new curb and gutter, sidewalk, drives, storm sewer system, shared-use path, signage, tree plantings, and roadway lighting. Work also involves minor traffic signal improvements at the intersection of Westbourne Avenue and Taylor Station Road, and other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents.

The estimated Notice to Proceed date is April 5, 2024. The project was let by the Office of Support Services through Vendor Services and Bid Express. Five bids were received on February 1, 2024, (all majority) and tabulated as follows:

Company Name	Bid Amount	City/State	Majority/ODI Certification
Trucco Construction Co., Inc.	\$7,877,369.29	Delaware, Ohio	MAJ

Shelly & Sands, Inc.	\$8,677,563.32	Columbus, Ohio	MAJ
Complete General Construction	\$8,770,371.5	Columbus, Ohio	MAJ
Elite Excavating Co. of Ohio, Inc.	\$11,536,389.48	Mansfield, Ohio	MAJ
Double Z Construction Company	\$11,531.133.06	Columbus, Ohio	MAJ

Award is to be made to Trucco Construction Co., Inc. as the lowest responsive and responsible and best bidder for their bid of \$7,877,369.29. The amount of construction administration and inspection services will be \$787,736.93. The total legislated amount is \$8,665,106.22.

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

The certifications of Trucco Construction Co., Inc. and all associated subcontractors were in good standing at the time the bid was awarded. Goldtech’s ODI certification will be renewed before entering into contract.

As part of their bid Trucco Construction Co., Inc. has proposed the following subcontractors to work on the project:

<u>Company Name</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
Paul Peterson Company	Columbus, Ohio	MAJ
Jess Howard Electric	Blacklick, Ohio	MAJ
Griffin Pavement Striping	Columbus, Ohio	MAJ
Complete Clearing	Marengo, Ohio	MAJ
Cap-Stone & Assoc.	Columbus, Ohio	WBE
MP Dory	Columbus, Ohio	MAJ
Dresden Landscaping	Dresden, Ohio	MAJ
Hurts Trucking	Marysville, Ohio	MBE
Goldtech	Columbus, Ohio	MBE (expired)

2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for Trucco Construction Co., Inc. is 004988 and expires 1/10/2026.

3. PRE-QUALIFICATION STATUS

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

4. FISCAL IMPACT

Funds in the amount of \$4,304,618.84 are available within the Lucent Incentive District TIF Fund, Fund 4427. It is necessary to appropriate funds with the Lucent Incentive District TIF Fund, Fund 4427, transfer funds to the Lucent Incentive District TIF Capital Fund, Fund 7484, and appropriate funds to align spending in the proper project.

Funds in the amount of \$3,212,130.68 are available within the E Broad Dominion TIF Fund, Fund 4428. It is necessary to appropriate funds with the E Broad Dominion TIF Fund, Fund 4428, transfer funds to the E Broad Dominion TIF Capital Fund, Fund 7428, and appropriate funds to align spending in the proper project.

Funds in the amount of \$1,148,356.70 are available within the E Broad Commercial TIF Fund, Fund 7431. It is necessary to transfer and appropriate funds within Fund 7431 to align spending in the proper project.

5. 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 12% 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.

6. EMERGENCY DESIGNATION

Emergency action is requested in order to complete needed improvements and meet the upcoming construction season's deadlines.

To authorize the transfer of funds within the E Broad Commercial TIF Fund; to transfer funds from each of the Lucent Incentive District TIF Fund and the E Broad Dominion TIF Fund to the Lucent Incentive District TIF Capital Fund and the E Broad Dominion TIF Capital Fund respectively; to appropriate funds within the Lucent Incentive District TIF Fund, E Broad Dominion TIF Fund, Lucent Incentive District TIF Capital Fund, the E Broad Dominion TIF Capital Fund, and E Broad Commercial TIF Capital Fund; to authorize the Interim Director of the Department of Public Service to enter into contract with Trucco Construction Co., Inc. for the Roadway - Westbourne Avenue Extension project; to authorize the expenditure of \$8,665,106.22 from the various TIF funds; and to declare an emergency. (\$8,665,106.22)

WHEREAS, the Department of Public Service is engaged in the Roadway - Westbourne Avenue Extension project; and

WHEREAS, the work for this project consists of: (i) the improvement of approximately 0.13 miles of Westbourne Avenue west of Taylor Station Road by resurfacing and widening it to add a southbound right turn lane, (ii) minor traffic signal improvements at the intersection of Westbourne Avenue and Taylor Station Road, (iii) the approximately 0.58 miles extension of Westbourne Avenue between Taylor Station Road and Blossom Field Boulevard including a roundabout, and (iv) a placement of 0.22 miles of a new alignment, called Corrina Drive, south from the roundabout; and

WHEREAS, the improvements of the extension and alignment include full depth pavement, new curb and gutter, sidewalk, drives, storm sewer system, shared-use path, signage, waterline, tree plantings, and roadway lighting, and other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents; and

WHEREAS, Trucco Construction Co., Inc. will be awarded the contract for the Roadway - Westbourne Avenue Extension project; and

WHEREAS, the Department of Public Service requires funding to be available for the Roadway - Westbourne Avenue Extension project for construction expense along with construction administration and inspection services; and

WHEREAS, it is necessary for Council to authorize a transfer of funds within Fund 7431, E Broad Commercial TIF Fund, to establish sufficient cash to pay for the project; and

WHEREAS, cash and appropriation must be transferred for Department of Public Service use from each of the Lucent Incentive District TIF Fund and the E Broad Dominion TIF Fund to the Lucent Incentive District Capital TIF Fund and the E Broad Dominion Capital TIF Fund respectively in order to allow the Department of Public Service to administer financial requirements of this project; and

WHEREAS, funds must be appropriated within the Lucent Incentive District TIF Fund, the E Broad Dominion TIF Fund, the Lucent Incentive District TIF Capital Fund, the E Broad Dominion TIF Capital Fund, and the E Broad Commercial TIF Capital Fund; 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 12% 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 enter into contract with Trucco Construction Co., Inc. in order to complete construction goals

within the upcoming construction season, for the immediate preservation of the public health, peace, property, and safety;
NOW, THEREFORE,

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

SECTION 1. That the transfer of \$1,148,356.70, or so much thereof as may be needed, is hereby authorized within Fund 7431 (E Broad Commercial TIF Capital Fund), from Dept-Div 4402 (Economic Development), Project P431999-100000 (E Broad TIF Unallocated), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P531037-100000 (Roadway - Westbourne Avenue Extension), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 2. 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, 2024, the sum of \$1,148,356.70 is appropriated in Fund 7431 (E Broad Commercial TIF Capital Fund), Dept-Div 5912 (Design and Construction), Project P531037-100000 (Roadway - Westbourne Avenue Extension), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 3. 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, 2024, the sum of \$4,304,618.84 is appropriated in Fund 4427 (Lucent Incentive District TIF Fund), Dept-Div 4402 (Economic Development), in Object Class 10 (Transfer Out) per the account codes in the attachment to this ordinance.

SECTION 4. That the transfer of \$4,304,618.84 or so much thereof as may be needed, is hereby authorized from Fund 4427 (Lucent Incentive District TIF Fund), Dept-Div 4402 (Economic Development) to Fund 7484 (Lucent Incentive District TIF Capital Fund), Dept-Div 5912 (Design and Construction) per the account codes in the attachment to this ordinance.

SECTION 5. 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, 2024, the sum of \$4,304,618.84 is appropriated in Fund 7484 (Lucent Incentive District TIF Capital Fund), Dept-Div 5912 (Design and Construction), Project P531037-100000 (Roadway - Westbourne Avenue Extension), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 6. 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, 2024, the sum of \$ 3,212,130.68 is appropriated in Fund 4428 (E Broad Dominion TIF Fund), Dept-Div 4402 (Economic Development), in Object Class 10 (Transfer Out) per the account codes in the attachment to this ordinance.

SECTION 7. That the transfer of \$3,212,130.68 or so much thereof as may be needed, is hereby authorized from Fund 4428 (E Broad Dominion TIF Fund), Dept-Div 4402 (Economic Development) to Fund 7428 (E Broad Dominion TIF Capital Fund), Dept-Div 5912 (Design and Construction) per the account codes in the attachment to this ordinance.

SECTION 8. 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, 2024, the sum of \$3,212,130.68 is appropriated in Fund 7428 (E Broad Dominion TIF Capital Fund), Dept-Div 5912 (Design and Construction), Project P531037-100000 (Roadway - Westbourne Avenue Extension), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 9. That the Interim Director of the Department of Public Service be and is hereby authorized to enter into a construction services contract with Trucco Construction Company, Inc. located at 3531 Airport Rd., Delaware, Ohio 43065, for the Roadway - Westbourne Avenue Extension project in the amount of up to \$7,877,369.29 in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to pay for necessary construction administration and inspection costs associated with the project up to a maximum of \$787,736.93.

SECTION 10. That the expenditure of \$4,304,618.84, or so much thereof as may be needed, is hereby authorized in Fund 7484 (Lucent Incentive District TIF Capital Fund), Dept-Div 5912 (Design and Construction), Project P531037-100000 (Roadway - Westbourne Avenue Extension), Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 11. That the expenditure of \$1,148,356.70, or so much thereof as may be needed, is hereby authorized in Fund 7431 (E Broad Commercial TIF Capital Fund), Dept-Div 5912 (Design and Construction), Project P531037-100000 (Roadway - Westbourne Avenue Extension), Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 12. That the expenditure of \$3,212,130.68, or so much thereof as may be needed, is hereby authorized in Fund 7428 (E Broad Dominion TIF Capital Fund), Dept-Div 5912 (Design and Construction), Project P531037-100000 (Roadway - Westbourne Avenue Extension), Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 13. That 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 14. 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 15. 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 16. 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.