



Legislation Details (With Text)

File #: 0675-2005 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 3/29/2005 **In control:** Public Service & Transportation Committee
On agenda: 7/18/2005 **Final action:** 7/20/2005

Title: To authorize the City Auditor to transfer \$3,147,285.40 between projects within the Streets and Highways Improvement Fund; to authorize the City Auditor to transfer \$3,147,285.40 from this fund to the Federal-State Highway Engineering Fund; to authorize the City Auditor to transfer \$465,714.60 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the City Auditor to transfer \$465,714.60 from this fund to Federal-State Highway Engineering Fund; to appropriate \$3,613,000.00 within the Federal-State Highway Engineering Fund; to authorize the Public Service Director to modify and increase the existing contract with Burgess and Niple, Limited, for the design of the Town Street bridge; to authorize the expenditure of \$3,613,000.00 from the Federal-State Highway Engineering Fund, and to declare an emergency. (\$3,613,000.00).

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/20/2005	1	MAYOR	Signed	
7/20/2005	1	ACTING CITY CLERK	Attest	
7/18/2005	1	Columbus City Council	Approved	Pass
7/18/2005	1	COUNCIL PRESIDENT	Signed	
7/7/2005	1	EBOCO Reviewer	Reviewed and Approved	
7/7/2005	1	ODI DIRECTOR	Reviewed and Approved	
7/7/2005	1	SERVICE DIRECTOR	Reviewed and Approved	
7/7/2005	1	CITY ATTORNEY	Reviewed and Approved	
7/7/2005	1	Service Drafter	Sent to Clerk's Office for Council	
7/6/2005	1	Auditor Reviewer	Reviewed and Approved	
7/6/2005	1	CITY AUDITOR	Reviewed and Approved	
7/6/2005	1	Service Drafter	Sent for Approval	
6/29/2005	1	Service Drafter	Sent for Approval	
6/28/2005	1	Finance Reviewer	Reviewed and Approved	
6/28/2005	1	FINANCE DIRECTOR	Reviewed and Approved	
6/21/2005	1	Service Reviewer	Reviewed and Approved	
6/21/2005	1	Service Drafter	Sent for Approval	
6/21/2005	1	SERVICE DIRECTOR	Reviewed and Approved	
6/21/2005	1	Service Drafter	Sent for Approval	

6/20/2005	1	Service Drafter	Sent for Approval
4/27/2005	1	SERVICE DIRECTOR	Reviewed and Disapproved
3/30/2005	1	Service Reviewer	Reviewed and Approved
3/29/2005	1	Service Drafter	Sent for Approval

This legislation authorizes a modification to an existing contract with Burgess and Niple, Limited, for the design of the Town Street Bridge project. When constructed this project will replace the existing bridge on a new alignment and construct a new pedestrian bridge on the current alignment.

Due to the continuous development of the downtown area, the purchase of the Lazarus building and the associated Town Street Streetscape project it became obvious that the existing Town Street bridge should be relocated to a new alignment. Changing the alignment will remove most of the vehicular traffic from Town Street between Civic Center Drive and High Street. Town Street between these limits will be redevelopment into a more pedestrian-friendly street. The new Town Street bridge will connect with Rich Street on the east side and Town Street on the west side of the Scioto River. The design will also include a new pedestrian bridge, to be built on the existing alignment, if funding can be identified.

This modification is an addition to the original scope of services but is a continuation of the existing work being performed and it would not be practical to contract with a different consultant.

The current hourly rate, overhead rate and percentage of profit that were negotiated at the beginning of this project were used to determine the amount of this modification. Burgess and Niple, Limited, contract compliance #31-0885550 (expires December 12, 2005), was selected in April 2001 in accordance with Chapter 329 for professional service contracts.

The original contract amount was \$2,127,727.00. The total of all modifications including this one is \$4,641,788.00. The contract amount including all modifications is \$6,769,515.00.

Fiscal Impact: The amount of this contract modification is \$3,613,000.00. Funds totaling \$3,147,285.40 are available in the Unallocated Balance within the Streets and Highway Improvement Fund. This ordinance transfers between funds and appropriates to the Federal-State Highway Engineering Fund within this ordinance. The balance needed, \$465,714.60, is available within the 1995, 1999 Voted Streets and Highways Fund within several different projects. This ordinance transfers these funds from these projects to the Bridge Rehabilitation project. They are then transferred to the Federal-State Highway Engineering Fund and appropriated there. The total expenditure is authorized within the Federal-State Highway Engineering Fund.

Emergency action is requested for immediate modification of the design contract for the earliest possible completion of the design to stay on schedule for construction and preserve the safety and welfare of the public.

To authorize the City Auditor to transfer \$3,147,285.40 between projects within the Streets and Highways Improvement Fund; to authorize the City Auditor to transfer \$3,147,285.40 from this fund to the Federal-State Highway Engineering Fund; to authorize the City Auditor to transfer \$465,714.60 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the City Auditor to transfer \$465,714.60 from this fund to Federal-State Highway Engineering Fund; to appropriate \$3,613,000.00 within the Federal-State Highway Engineering Fund; to authorize the Public Service Director to modify and increase the existing contract with Burgess and Niple, Limited, for the design of the Town Street bridge; to authorize the expenditure of \$3,613,000.00 from the Federal-State Highway Engineering Fund, and to declare an emergency. (\$3,613,000.00).

WHEREAS, Contract no. EA0294959-002 & 004 was authorized by Ordinance 0563-2001, passed April 2, 2001, executed and approved by the City Attorney on April 18, 2001; and

WHEREAS, this contract was modified and increased by \$153,000.00 by Ordinance 1337-2002 passed by City Council on July 29, 2002; and

WHEREAS, this contract was modified and increased by \$875,788.00 by Ordinance 1265-2004 passed by City Council on July 19, 2004; and

WHEREAS, it is necessary to modify this contract to \$6,769,515.00 per the consultant's email dated March 14, 2005 for the Town Street Bridge Replacement project; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be modified and increased immediately so that the work may proceed without delay in order to maintain the proposed construction schedule, 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 City Auditor be and hereby is authorized to appropriate and transfer \$3,147,285.40 between projects within Fund 766, the Streets and Highway Improvement Fund, Department No. 59-09, Transportation Division, as follows:

TRANSFER FROM:

Project Number / Project / Object Level 01/03 Codes / OCA Code / Amount

766999 / Unallocated Balance / 06/6600 / 642728 / \$3,147,285.40

Total Transfer From: \$3,147,285.40

TRANSFER TO:

Project Number / Project / Object Level 01/03 Codes / OCA Code / Amount

766999 / Unallocated Balance / 10/5501 / 642728 / \$3,147,285.40

Total Transfer To: \$3,147,285.40

SECTION 2. That the City Auditor be and hereby is authorized to transfer \$3,147,285.40 between Funds as follows:

TRANSFER FROM:

Fund / Project Number / Project / Object Level 01/03 Codes / OCA Code / Amount

766 / 766999 / Unallocated Balance / 10/5501 / 642728 / \$3,147,285.40

Total Transfer From: \$3,147,285.40

TRANSFER TO:

Fund / Project Number / Project / Object Level 01/03 Codes / OCA Code / Amount

765 / 565186 / Town Street Bridge / 80/0886 / 640375 / \$3,147,285.40

Total Transfer To: \$3,147,285.40

SECTION 3. That the City Auditor be and hereby is authorized to transfer \$465,714.60 between projects within Fund 704, the 1995, 1999 Voted Streets and Highways Fund, Department No. 59-09, Transportation Division, as follows:

TRANSFER FROM:

Project Number / Project / Object Level 01/03 Codes / OCA Code / Amount

530010 / Krumm Park / 06/6600 / \$3,945.00
530086 / Miscellaneous Intersection Improvements / 06/6600 / \$631.25
530087 / ADA Ramp Projects / 06/6600 / \$223.06
530103 / Arterial Street Rehabilitation / 06/6600 / 70.45
530161 / Roadway Improvements / 06/6600 / \$64,854.39
530208 / Federal/State Match / 06/6600 / \$3,406.12
530210 / Curb Replacement / 06/6600 / 7.65
540002 / Bikeway Development / 06/6600 / \$2,924.97
540007 / Signal Installation / 06/6600 / \$53,080.91
540008 / Sign Upgradings/Streetname Signs / 06/6600 / \$329,669.30
540010 / Safety Congestion Improvements / 06/6600 / \$5,210.00
540023 / Traffic Calming / 06/6600 / \$1,691.50

Total Transfer From: \$465,714.60

TRANSFER TO:

Project Number / Project / Object Level 01/03 Codes / OCA Code / Amount
530301 / Bridge Rehabilitation 06/6682/ 644385 / \$465,714.60

Total Transfer To: \$465,714.60

SECTION 4. That the City Auditor be and hereby is authorized to transfer \$465,714.60 between Object Level One Codes within Fund 704, the 1995, 1999 Voted Streets and Highways Fund, Department No. 59-09, Transportation Division, as follows:

TRANSFER FROM:

Fund / Project Number / Project / Object Level 01/03 Codes / OCA Code / Amount
704 / 530301 / Bridge Rehabilitation 06/6682/ 644385 / \$465,714.60

Total Transfer From: \$465,714.60

TRANSFER FROM:

Fund / Project Number / Project / Object Level 01/03 Codes / OCA Code / Amount
704 / 530301 / Bridge Rehabilitation 10/5501/ 644385 / \$465,714.60

Total Transfer To: \$465,714.60

SECTION 5. That the City Auditor be and hereby is authorized to transfer \$465,714.60 between Funds as follows:

TRANSFER FROM:

Fund / Project Number / Project / Object Level 01/03 Codes / OCA Code / Amount
704 / 530301 / Bridge Rehabilitation 10/5501/ 644385 / \$465,714.60

Total Transfer To: \$465,714.60

TRANSFER TO:

Fund / Project Number / Project / Object Level 01/03 Codes / OCA Code / Amount
765 / 565186 / Town Street Bridge / 80/0886 /640375/ \$465,714.60

Total Transfer To: \$465,714.60

SECTION 6. That the sum of \$3,613,000.00 be and hereby is appropriated from the unallocated balance of Fund 765, the Federal-State Highway Engineering Fund, and from any and all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2005, to the Transportation Division, Department No. 59-09, Object Level One Code 06, Object Level Three Code 6682, OCA Code 640375 and Project 565186.

SECTION 7. That the monies appropriated in Section 5 shall be paid upon order of the Public Service Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 8. That the Public Service Director be and is hereby authorized to modify and increase Contract no. EA029459-002 & 004, with Burgess and Niple, Limited, 5085 Reed Road, Columbus, Ohio 43220 to complete the design, construction plans and permits for the Town Street Bridge Replacement project in accordance with the plans on file in the office of the Public Service Director.

SECTION 9. That for the purpose of paying the cost thereof, the sum of \$3,613,000.00 so much thereof as may be necessary be and hereby is authorized to be expended from Fund 765, the Federal-State Highway Engineering Fund, Department No. 59-09, Object

Level One Code 06, Object Level Three Code 6682, OCA Code 640375 and Project 565186.

SECTION 10. 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.