



## Legislation Text

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**File #:** 2098-2023, **Version:** 1

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**Background:** This ordinance authorizes the Director of the Recreation and Parks Department modify an existing contract with Pavement Protectors, Inc. DBA M&D Blacktop for the Hard Surface Improvements 2021-2022 Project. The modification amount being authorized by this ordinance is \$135,000.00. The original contract was authorized by Ordinance 2031-2022.

Each year, the Recreation and Parks Department allocates a portion of the Capital Improvement Budget for the improvement of existing hard surfaces and new installations of hard surfaces. This particular contract focuses on the improvement of asphalt and concrete surfaces that are highly used by the public and includes entry drives, parking lots, trails, sidewalks, and sport courts. By improving these surfaces, safe and easy access can be ensured to the parks and facilities. Areas for improvement were initially considered through recommendations from internal staff and public involvement. All requests were assessed through a Pavement Condition Rating (PCR) form and were given a rating from 0, meaning the worst condition, to 100, meaning the best condition. All requests were prioritized for action based on their respective PCR scores. From there, staff confirmed which projects to move forward with.

The additional scope of work outlined below was not included in the original contract because they were not known or prioritized at that time. Since the contract was awarded, the additional scope of work was elevated in importance and urgency due to 311 requests and safety concerns. The current contract will perform the work as efficiently and cost effectively as possible. Work was negotiated using established unit prices. It is not advantageous to pursue another procurement process due to the emergency need for this work to be completed and the prices came from the established low bidder.

The additional scope of work is as follows:

Driving Park - tennis courts improvements  
Thompson Park - basketball courts Improvements  
Deshler Park - concrete drive apron improvements Tuttle Park - Restripe speed hump  
Marie Mooreland Playground - pave ADA compliant hard surface connector

**Principal Parties:**

Pavement Protectors, Inc. DBA M&D Blacktop  
2020 Longwood Avenue  
Grove City, Ohio, 43123  
Mark Nance, (614) 875-9989  
Contract Compliance Number: 004731  
Contract Compliance Expiration Date: January 26, 2025

**Emergency Justification:** Emergency action is requested due to public safety concerns at these locations as cracked pavement on sport courts can lead to injury and this existing contract needs to be modified in order to avoid a delay in completion of the work as there is a limited window for weather appropriate construction of hard surface improvements prior to the end of 2023.

**Benefits to the Public:** This project aims to provide accessible and usable asphalt, concrete, and sport court improvements throughout our park properties.

**Community Input/Issues:** Needed improvements were identified by both internal staff and from community requests. The community has expressed the desire for well-kept facilities and amenities through public workshops, social media, and direct contact with staff.

**Area(s) Affected:** Citywide (99)

**Master Plan Relation:** This project will support the Recreation and Parks Master Plan by removing access and circulation barriers to city parks. It also helps meet the goal of improving at least five neighborhood parks per year.

**Fiscal Impact:** The expenditure of \$1,127,000.00 was legislated for the Hard Surface Improvements 2021-2022 Project by Ordinance 2031-2022. This ordinance will provide funding that will modify the previously authorized amount by \$135,000.00. \$135,000.00 is budgeted and available in the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of this contract modification. The aggregate total amount authorized, including this modification, is \$1,262,000.00.

To authorize the Director of Recreation and Parks to modify an existing contract with Pavement Protectors, Inc. DBA M&D Blacktop for the Hard Surface Improvements 2021-2022 Project; to authorize the transfer of \$135,000.00 within the Recreation and Parks Voted Bond Fund, to authorize the amendment of the 2023 Capital Improvements Budget; to authorize the expenditure of \$135,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$135,000.00)

**WHEREAS,** it is necessary to authorize the Director of the Recreation and Parks to modify an existing contract with Pavement Protectors, Inc. DBA M&D Blacktop for the Hard Surface Improvements 2021-2022 Project; and

**WHEREAS,** it is necessary to authorize the transfer of \$135,000.00 within the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS,** it is necessary to authorize the amendment of the 2023 Capital Improvements Budget Ordinance 1711-2023 in order to provide sufficient budget authority for this and future projects; and

**WHEREAS,** it is necessary to authorize the expenditure of \$135,000.00 from the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS,** an emergency exists in the usual daily operations of the Recreation and Parks Department in that it is immediately necessary to authorize the Director to modify the contract with Pavement Protectors DBA M&D Blacktop due to public safety concerns at these locations as cracked pavement on sports courts can lead to injury and this existing contract needs to be modified in order to avoid a delay in completion of the work as there is a limited window for weather appropriate construction of hard surface improvements prior to the end of 2023, all for the 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 Director of Recreation and Parks be and is hereby authorized to modify an existing contract with Pavement Protectors, Inc. DBA M&D Blacktop for the Hard Surface Improvements 2021-2022 Project. The modification amount being authorized by this ordinance is \$135,000.00.

**SECTION 2.** 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 3.** 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 4.** 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 5.** That the transfer of \$135,000.00 or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Bond Fund 7702 per the account codes in the attachment to this ordinance.

**SECTION 6.** That the 2023 Capital Improvements Budget Ordinance 1711-2023 is hereby amended as follows in order to provide sufficient budget authority for this ordinance and future projects.

Fund / Project / Project Name / Current Revised Authority / Current Remaining Authority / Change / Amended Revised Authority / Amended Remaining Authority

Fund 7702 / P511000-100000 / Renovation - Misc. (Voted Carryover) / \$5,276,964 / \$5,276,964 / (\$524,101) / \$4,752,863 / \$4,752,863 (to match cash)

Fund 7702 / P511000-100000 / Renovation - Misc. (Voted Carryover) / \$4,752,863 / \$4,752,863 / (\$135,000) / \$4,617,863 / \$4,617,863

Fund 7702 / P511007-202103 / Hard Surface Improvements 2021-2022 (Voted Carryover) / \$0 / \$0 / \$135,000 / \$135,000 / \$135,000

**SECTION 7.** For the purpose stated in Section 1, the expenditure of \$135,000.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Voted Bond Fund 7702 in object class 06 Capital Outlay per the accounting codes in the attachments to this ordinance.

**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.