



## Legislation Text

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**File #:** 1902-2023, **Version:** 1

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### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to modify a professional services contract with Korda/Nemeth Engineering to add additional funds for design of the Operation Sidewalks - School Sidewalks - Hilltop project.

Ordinance No. 2617-2018 authorized the Director of Public Service to enter into a professional services contract with Korda/Nemeth Engineering for the Operation Sidewalks - School Sidewalks - Hilltop project. The Operation Sidewalks - School Sidewalks - Hilltop project will install sidewalk along residential streets surrounding West High School, Highland Elementary School, and West Broad Elementary School. This ordinance authorizes the Director of Public Service to modify the contract in the amount of \$190,000.00. The construction of this project will be funded with a grant from the Ohio Department of Transportation (ODOT).

This is an unplanned modification that is necessary to cover the cost of work due to additional stormwater analysis due to site constraints. It was deemed to be more cost efficient to modify the existing contract than to bid this part of the work.

The original contract amount:	\$800,000.00	(PO146176, Ord. 2617-2018)
The total of Modification No. 1:	<u>\$190,000.00</u>	<u>(This Ordinance)</u>

The contract amount including all modifications: \$990,000.00

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Korda/Nemeth Engineering.

### 2. CONTRACT COMPLIANCE

The contract compliance number for Korda/Nemeth Engineering is CC004467 and expires 2/22/2025.

### 3. FISCAL IMPACT

Funding in the amount of \$190,000.00 is available and appropriated within the Streets and Highways Bond Fund, Fund 7704 within the Department of Public Service. An amendment to the 2023 Capital Improvements Budget is necessary to align funding with the proper project. The amendment to the 2023 Capital budget is contingent upon its passage.

### 4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM

This expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise program and as such is not a part of the program.

### 5. EMERGENCY DESIGNATION

Emergency action is requested to complete the project modifications to keep the design work, already under contract, moving forward without delay in order to meet the construction start date requirement associated with ODOT funds for the construction phase of the project, and to preserve the safety of the traveling public.

To amend the 2023 Capital Improvement Budget; to authorize the Director of Public Service to enter into a contract modification with Korda/Nemeth Engineering, Inc., in connection with the Operation Sidewalks - School Sidewalks - Hilltop project; to authorize the expenditure in an amount not to exceed \$190,000.00 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$190,000.00)

**WHEREAS**, contract no. PO146176 with Korda/Nemeth Engineering, Inc., in the amount of \$800,000.00, was authorized by Ordinance No. 2617-2018; and

**WHEREAS**, it has become necessary to modify the contract in an amount not to exceed \$190,000.00 and provide additional funds for the Operation Sidewalks - School Sidewalks - Hilltop project ("Project"); necessary to cover the cost of work due to additional stormwater analysis due to site constraints; and

**WHEREAS**, it is necessary to amend the 2023 Capital Improvement Budget to provide funding for project expenditures as it is deemed to be more cost efficient to modify the existing contract than to bid this part of the work; and

**WHEREAS**, it is necessary to expend funds for the project; and

**WHEREAS**, this expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise Program and as such is not a part of the program; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to keep the design work, already under contract, moving forward without delay in order to meet the construction start date requirement associated with ODOT funds for the construction phase of the project, and to preserve the safety of the traveling public, 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 2023 Capital Improvements Budget authorized by Ordinance No. 1711-2023 be amended to establish sufficient authority for this project:

**Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

7704 / P590955-100061 / Operation Sidewalks - Grace St - Orel Ave to Eureka Ave (Voted Carryover) / \$1,769,000.00 / (\$190,000.00) / \$1,579,000.00

7704 / P590955-100058 / Operation Sidewalks - School Sidewalks-Hilltop (Voted Carryover) / \$0.00 / \$190,000.00 / \$190,000.00

**SECTION 2.** That the Director of Public Service be, and hereby is, authorized to enter into a contract modification with Korda/Nemeth Engineering, Inc., located at 1650 Watermark Drive, Suite 200, Columbus, Ohio 43215, for the Operation Sidewalks - School Sidewalks-Hilltop project in the amount of \$190,000.00, 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.

**SECTION 3.** That the expenditure of \$190,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction), Project P590955-100058 (Operation Sidewalks - School Sidewalks-Hilltop), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 4.** 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 5.** 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 6.** 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 7.** 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.