



## Legislation Text

**File #: 1797-2023, Version: 1**

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into contract with Shelly & Sands, Inc. for the ASR - SR161 I-71 to Cleveland Avenue Phase I - Part 2 (Parkville/Spring Run) project and to provide payment for construction, construction administration and inspection services.

This project is included within the first phase of a series of projects that will make improvements to SR 161 between I-71 and Cleveland Avenue focused on the side streets north and south of SR 161. Improvements to SR 161 include replacement of the existing traffic signal at the intersection of Parkville Street and Spring Run Drive, installing shared use paths, curb, curb ramps and street lighting. Side Street improvements along Parkville Street and Spring Run Drive include reconstruction, widening and resurfacing of the pavement, curb, sidewalk, raised median, installation of two urban mini roundabouts, street lighting, and storm sewer, 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.

Ordinance 1985-2020 authorized the Director of Public Service to submit applications for the Local Transportation Improvement Program and State Capital Improvement Program and to execute project agreements for approved projects; to authorize the Director of Public Service and the Director of Finance and Management to submit loan documents and borrow money from the Ohio Public Works Commission for projects as awarded under the State Capital Improvement Program; to authorize the Director of Finance and Management and City Auditor, as appropriate, to sign for funding use certification, local match availability, and to certify loan portion repayment, for the Arterial Street Rehabilitation - SR161 - I-71 to Cleveland Avenue Phase I.

Ordinance 1658-2020 authorized the Director of Public Service to submit MORPC Attributable Funds roadway improvement project applications to the Mid-Ohio Regional Planning Commission for consideration for funding within the Transportation Improvement Program; to authorize the Director of Public Service to execute project agreements and accept grant funds for approved projects for the Department of Public Service; for the ASR - SR161 I-71 to Cleveland Avenue Phase I - Part 2 (Parkville/Spring Run) project.

The estimated Notice to Proceed date is August 15, 2023. The project was let by the Office of Support Services through Vendor Services and Bid Express. Three bids were received on June 1, 2023, (all majority) and tabulated as follows:

<u>Company Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
Shelly & Sands, Inc.	\$ 8,068,968.05	Columbus, OH	MAJ
Complete General Construction	\$ 8,920,471.96	Columbus, OH	MAJ
Trucco Construction Co., Inc.	\$ 9,711,752.38	Delaware, OH	MAJ

Award is to be made to Shelly & Sands, Inc. as the lowest responsive and responsible and best bidder for their bid of \$8,068,968.05. The amount of construction administration and inspection services will be \$851,451.44. The total legislated amount is \$8,920,419.49.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Shelly & Sands, Inc.

As part of their bid Shelly & Sands, Inc. has proposed the following subcontractors to work on the project:

<u>Company Name</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
---------------------	-------------------	-----------------------------------

Danbert Electrical	Plain City, Ohio	MAJ	
Paul Peterson Company	Columbus, Ohio		MAJ
Griffin Pavement Striping	Columbus, Ohio		MAJ
Boca Construction, Inc.	Norwalk, Ohio	MAJ	
Complete Clearing Inc.	Marengo, Ohio	MAJ	
Concrete Cutting & Breaking Inc.	Columbus, Ohio		MAJ
Dresden Landscaping	Dresden, Ohio	MAJ	
Environmental Management Inc.	Plain City, Ohio	MAJ	
Lake Erie Const. Co.	Norwalk, Ohio	MAJ	
Lionel Construction Co.	Zanesville, Ohio		MBE
McCoy Piping Services	Columbus, Ohio		MAJ
MS Trucking	Lockbourne, Ohio	WBE	

## **2. CONTRACT COMPLIANCE INFORMATION**

The contract compliance number for Shelly & Sands, Inc. is CC006043 and expires 2/3/2024.

## **3. PRE-QUALIFICATION STATUS**

Shelly & Sands, Inc. and all proposed subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Codes Chapter 329.

## **4. FISCAL IMPACT**

This is a reimbursable budgeted expense of \$3,127,170.00 for this project within the Federal Transportation Grant Fund, Fund 7765, Grant G592302. Funds needs to be appropriated.

This is a reimbursable budgeted expense of \$3,843,249.48 for this project within the OPWC Grants and Loans Fund, Fund 7763, Grant G592109 (SR-161 Phase 1 CC05Y CC06Y). Funds need to be appropriated.

The remaining balance of \$1,950,000.00 is available and appropriated within the Streets and Highways Bond Fund, Fund 7704. A transfer of cash is necessary to align spending with the proper project.

## **5. EMERGENCY DESIGNATION**

Emergency action is requested in order to complete needed improvements at the earliest possible time and meet the requirements of the dates for the grant funding award to avoid penalty and to ensure the safety of the traveling public.

To authorize the transfer and appropriation within various funds; to authorize the Director of the Department of Public Service to enter into contract with Shelly & Sands, Inc. for the State Route 161, Interstate-71 to Cleveland Avenue Phase I - Part 2 project; to authorize the expenditure of up to \$8,920,419.48 from the various funds for the project; to repay any unused grant funds at the end of the grant period; and to declare an emergency. (\$8,920,419.48)

**WHEREAS**, the Department of Public Service is engaged in the ASR - SR161 I-71 to Cleveland Avenue Phase I - Part 2 (Parkville/Spring Run) project; and

**WHEREAS**, the work for this project consists of improvements to SR 161 of the existing traffic signal at the intersection of Parkville Street and Spring Run Drive, installing shared use paths, curb, curb ramps and street lighting. Side Street improvements along Parkville Street and Spring Run Drive include reconstruction, widening and resurfacing of the pavement, curb, sidewalk, raised median, installation of two urban mini roundabouts, street lighting, and storm sewer; 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**, Shelly & Sands, Inc. will be awarded the contract for the ASR - SR161 I-71 to Cleveland Avenue Phase I - Part 2 (Parkville/Spring Run) project; and

**WHEREAS**, the Department of Public Service requires funding to be available for the ASR - SR161 I-71 to Cleveland

Avenue Phase I - Part 2 (Parkville/Spring Run) project for construction expense along with construction administration and inspection services; and

**WHEREAS**, Federal Transportation grant funds and Ohio Public Works Commission grant funds will be used to pay for a portion of this project; and

**WHEREAS**, it is necessary for Council to authorize a transfer of funds within Fund 7704, the Streets and Highways Bond Fund, to establish sufficient cash to pay for the project; and

**WHEREAS**, funds must be appropriated within the Federal Transportation Grants Fund, Fund 7765, and the OPWC Grants and Loans Fund, Fund 7763; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director to enter into contract with Shelly & Sands, Inc. to meet the requirements of the dates for the grant funding award to avoid penalty and to ensure the safety of the traveling public, 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 transfer of \$562,083.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530161-100185 (Roadway Improvements - Sancus Blvd Widening), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530103 - 100075 (ASR - SR161 I-71 to Cleveland Avenue Phase I - Part 2 (Parkville/Spring Run)), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 2.** That from the unappropriated monies in Fund 7765 (Federal Transportation Grants Fund) 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, 2023, the sum of \$3,127,170.00 is appropriated in Fund 7765 (Federal Transportation Grants Fund), Dept-Div 5912 (Design and Construction), Grant G592302, Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That from the unappropriated monies in Fund 7763 (OPWC Grants and Loans Fund) 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, 2023, the sum of \$3,843,249.48 is appropriated in Fund 7763 (OPWC Grants and Loans Fund), Dept-Div 5912 (Design and Construction), Grant G592109 (SR-161 Phase 1 CC05Y CC06Y), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Director of Public Service be and hereby is authorized to enter into a construction services contract with Shelly & Sands, Inc. located at 1515 Harmon Ave., Columbus, Ohio 43223, for the ASR - SR161 I-71 to Cleveland Avenue Phase I - Part 2 (Parkville/Spring Run) project in the amount of up to \$ 8,068,968.05 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 \$851,451.43.

**SECTION 5.** That the expenditure of \$3,127,170.00, or so much thereof as may be needed, is hereby authorized in Fund 7765 (Federal Transportation Grants Fund), Dept-Div 5912 (Design and Construction), Grant #GTBD, Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That the expenditure of \$3,843,249.48, or so much thereof as may be needed, is hereby authorized in Fund 7763 (OPWC Grants and Loans Fund), Dept-Div 5912 (Design and Construction), Grant G592109 (SR-161 Phase 1 CC05Y CC06Y), Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 7.** That the expenditure of \$1,950,000.00, 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 P530103 - 100075 (ASR - SR161 I-71 to Cleveland Avenue Phase I - Part 2 (Parkville/Spring Run)), Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 8.** 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 9.** 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 10.** 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 11.** At the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

**SECTION 12.** 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.