



## Legislation Text

**File #:** 1758-2013, **Version:** 1

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into contract with Patrick Engineering, Inc. in the amount of up to \$206,000.00 for the Pedestrian Safety Improvements - COTA Sidewalks Phase 2 contract.

This project includes preliminary and final engineering for improvements to install sidewalk curb ramps at three locations: Kenny Road from Upper Arlington corporation line to Francisco Road, Dierker Road from Henderson Road to Bethel Road, and Campus View Boulevard between High Street and Huntington Park Drive and Huntington Park Drive between Campus View Boulevard and the COTA Park and Ride.

Design will proceed in two parts with Part 1 consisting of preliminary engineering and Part 2 to consist of final design. The project will include ROW acquisition and improvements necessary to accommodate drainage, if needed.

The Department of Public Service, Office of Support Services, solicited Requests for Proposals for the Pedestrian Safety Improvements - COTA Sidewalks Phase 2 contract. The project was formally advertised on the Vendor Services web site from April 26, 2013, to May 9, 2013. The city received five (5) responses. All proposals were deemed responsive and were fully evaluated when the Evaluation Committee met on May 22, 2013.

<u>Company Name</u>	<u>City/State</u>	<u>Majority/MBE/FBE/ASN /PHC</u>
ADR & Associates, Ltd.	Columbus, OH	MAJ
Dynotec, Inc.	Columbus, OH	AFA
E.P. Ferris & Associates, Inc.	Columbus, OH	MAJ
Jones-Stuckey Ltd., Inc.	Columbus, OH	MAJ
Patrick Engineering, Inc.	Columbus, OH	MAJ

Patrick Engineering, Inc. received the highest score by the evaluation committee and will be awarded the Pedestrian Safety Improvements - COTA Sidewalks Phase 2 contract.

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

### 2. CONTRACT COMPLIANCE

Patrick Engineering, Inc.'s contract compliance number is 363008281 and expires 12/2/14.

### 3. PLANNED CONTRACT MODIFICATION

This ordinance authorizes funding for Part 1 of this design contract. A planned modification will be executed at the completion of part 1 to add additional funding and scope.

### 4. FISCAL IMPACT

This project is funded in the 2013 Capital Improvements Budget. Bonds have not yet to be sold for this project; therefore it is necessary to certify funds needed in the amount of \$206,000.00 against the Special Income Tax Fund. Upon sale of the bonds, this will be reimbursed.

### 5. EMERGENCY DESIGNATION

Emergency action is requested to provide necessary engineering and design funding and prevent unnecessary delays in

the Department of Public Service's Capital Improvement Program.

To authorize and direct the City Auditor to appropriate and transfer \$206,000.00 from the Special Income Tax Fund to the Streets and Highways Bonds Fund; to authorize the Director of Public Service to enter into contract with Patrick Engineering, Inc. for engineering, technical, and surveying services in connection with the Pedestrian Safety Improvements - COTA Sidewalks Phase 2 contract; to authorize the expenditure of up to \$206,000.00 from the Streets and Highways Bonds Fund; and to declare an emergency. (\$206,000.00)

**WHEREAS**, the Director of Public Service has identified the need to enter into a professional service contract to provide for engineering and design services for improvements for the Pedestrian Safety Improvements - COTA Sidewalks Phase 2 contract; and

**WHEREAS**, this ordinance authorizes the Director of Public Service to enter into contract with Patrick Engineering, Inc. for the provision of engineering and design services described above in the amount of up to \$206,000.00; and

**WHEREAS**, the Director anticipates executing a planned contract modification at a later date; and

**WHEREAS**, it is necessary to transfer funds from the Special Income Tax Fund to fund this project; and

**WHEREAS**, the City will sell notes or bonds to fund the majority of this project and will reimburse the Special Income Tax Fund; and

**WHEREAS**, this transfer should be considered as a temporary funding method; and

**WHEREAS**, the aggregated principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$1,000,000.00; and

**WHEREAS**, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project"); and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that this contract should authorized immediately so that funding can be made available for necessary engineering and design services for capital improvement projects 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.** The sum of \$206,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, 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 ending December 31, 2013 to the City Auditor, Department 22-01, Object Level One 10, OCA code 902023, Object Level Three 5502.

**SECTION 2.** That the City Auditor is hereby authorized to transfer and appropriate said funds in SECTION 1 to the Streets and Highways G.O. Bonds Fund, Fund 704 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
704 / 590105-100042 / Pedestrian Safety Improvements - COTA Sidewalks Ph. 2 / 06-6600 / 740542 / \$206,000.00

**SECTION 3.** That the Director of Public Service be and is hereby authorized to enter into contract with Patrick Engineering, Inc. for the Pedestrian Safety Improvements - COTA Sidewalks Phase 2 contract for engineering and design services in an amount of up to \$206,000.00.

**SECTION 4.** That the monies appropriated in the foregoing Section 2 shall be paid upon order of the Director of Public Service 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 5.** That upon obtaining other funds for this project for the Department of Public Service, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 2.

**SECTION 6.** That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$206,000.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

**SECTION 7.** That for the purpose of paying the cost of this contract the sum of up to \$206,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways Bond Fund as follows:

Fund / Project Detail / Project Name / O.L. 01-03 Codes / OCA / Amount  
704 / 590105-100042 / Pedestrian Safety Improvements - COTA Sidewalks Ph. 2 / 06-6682 / 740542 / \$206,000.00

**SECTION 8.** 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 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.** 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.