



## Legislation Text

File #: 0989-2016, Version: 1

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into a contract for the Roadway Improvements - Scioto Peninsula - West Broad Street project and to provide for construction administration and inspection services.

The aforementioned project encompasses various improvements to West Broad Street from the Norfolk Southern railroad bridge, approximately 160' west of Starling Street, to Front Street. The planned scope of services includes pavement reconstruction, street upgrades, pedestrian and bike facilities, and utility improvements. Sidewalks will be reconstructed and widened to provide for additional streetscape elements including a buff wash finish concrete walk, granite curb, street trees, planters, and lighting. Bike lanes will be installed along the full limits of W. Broad Street. Two planted medians will be installed. Each median will provide a pedestrian refuge area. The eastern crossing will include the installation of a Pedestrian Hybrid Beacon. The traffic signal at W. Broad and Belle will be upgraded to a decorative mast arm. New water line, street lighting, and storm sewer facilities will be installed with the project. All aerial facilities will be relocated underground. Broad Street will be milled and resurfaced from the east bridge approach to 50' west of Wall Street.

The estimated Notice to Proceed is May 11, 2016. The project was let by the Office of Support Services through Vendor Services and Bid Express on March 15, 2016. Three bids were received (all majority) and tabulated on March 16, 2016, as follows:

<u>Company Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
George J. Igel & Co., Inc.	\$6,364,075.68	Columbus, Ohio	Majority
Shelly & Sands, Inc.	\$6,805,620.80	Columbus, Ohio	Majority
Complete General Construction	\$6,992,505.93	Columbus, Ohio	Majority

Award is to be made to George J. Igel & Co., Inc. as the lowest responsive and responsible and best bidder. The contract amount will be \$6,364,075.68. The amount for construction administration and inspection services will be \$636,407.57. The total legislated amount is \$7,000,483.25.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against George J. Igel & Co., Inc.

### 2. CONTRACT COMPLIANCE

The contract compliance number for George J. Igel & Co., Inc. is 31-4214570 and expires 2/3/17.

### 3. PRE-QUALIFICATION STATUS

George J. Igel & Co., Inc. and all proposed trades subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

### 4. FISCAL IMPACT

Funding in the amount of \$7,000,483.25 is available as follows: \$5,156,036.71 within the Streets and Highways Bond Fund within the Department of Public Service; \$1,231,545.21 from the Sanitary Sewer General Obligation Bond Fund and \$612,901.33 in the Water GO Bonds Fund, both within the Department of Public Utilities. An amendment to the 2016 Capital Improvements Budget and a transfer of cash and appropriation are necessary to align funding for these project expenditures.

This ordinance authorizes the appropriation and transfer of \$1,231,545.21 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund, Fund 6109; to authorize the expenditure of up to \$1,231,545.21 from the G.O. Bond Fund, Fund 6109. Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from a future Bond Sale via the transfer detailed in this ordinance.

An amendment to the 2016 Capital Improvements Budget is necessary for the purpose of providing sufficient spending authority for the aforementioned expenditure. This ordinance is contingent upon passage of the 2016 Capital Improvements Budget.

## **5. EMERGENCY DESIGNATION**

Emergency action is requested to prevent unnecessary delays in the completion of this project, which calls for all work to be completed no later than October 28, 2016.

To amend the 2016 Capital Improvements Budget; to authorize appropriation within the Sanitary Sewer Reserve Fund; to authorize the transfer of funds between projects within the Streets and Highways Bond Fund; to authorize the transfer of funds between projects within the Water GO Bonds Fund; to authorize the transfer and appropriation of funds between the Sanitary Sewer Reserve Fund and the Sanitary Sewer General Obligation Fund; to authorize the Director of Public Service to enter into contract with George J. Igel & Company in connection with the Roadway Improvements - Scioto Peninsula - West Broad Street project; to authorize the expenditure of up to \$7,000,483.25 from the Streets and Highways Bond Fund, the Sanitary Sewer General Obligation Bond Fund, and the Water GO Bonds Fund to pay for the contract along with construction administration and inspection services; and to declare an emergency. (\$7,000,483.25)

**WHEREAS**, the Department of Public Service is engaged in the Roadway Improvements - Scioto Peninsula - West Broad Street project, which encompasses various improvements to West Broad Street from the Norfolk Southern railroad bridge, approximately 160' west of Starling Street, to Front Street; and

**WHEREAS**, it was subsequently determined that George J. Igel & Co., Inc. was the lowest, most responsive, responsible and best bidder among the three prospective contractors who submitted proposals for that project; and

**WHEREAS**, this legislation authorizes the Director of Public Service to enter contract with George J. Igel & Co., Inc. relative to that effort; and

**WHEREAS**, it is necessary to provide for construction administration and inspection services for that project; and

**WHEREAS**, it is necessary to amend the 2016 Capital Improvement Budget and transfer cash and appropriation to align funding for project expenditures; and

**WHEREAS**, the Department of Public Utilities has agreed to contribute funds in the amount of \$1,844,446.54 toward the cost of constructing said improvements; and

**WHEREAS**, it is necessary to transfer \$1,231,545.21 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation (G.O.) Bond Fund; and

**WHEREAS**, it is necessary to authorize an expenditure; 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 \$1,231,545.21; and

**WHEREAS**, the City will sell notes or bonds to fund this project and will reimburse the Sanitary Reserve Fund; 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 it is immediately necessary to authorize the Director to enter into contract with George J. Igel & Co., Inc. and to authorize the encumbrance and expenditure of requisite funds to facilitate the completion of planned improvements in a timely manner, thereby preserving the public health, peace, safety, and welfare; **now, therefore**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the 2016 Capital Improvements Budget be amended to establish sufficient authority for this project as follows:

**Department of Public Service:**

**Fund / Project / Project Name / Current C.I.B. / Amendment Amount / C.I.B. as Amended**

7704 / P590910-100002 / SciTech-OSU (Voted Carryover) / \$3,622,289.00 / (\$1,656,037.00) / \$1,966,252.00

7704 / P530161-100157 / Roadway Improvements - Scioto Peninsula - W. Broad Street (Voted Carryover) / \$3,500,000.00 / \$1,656,037.00 / \$5,156,037.00

**Department of Public Utilities, Division of Water:**

**Fund / Project / Project Name / Current C.I.B. / Amendment Amount / C.I.B. as Amended**

6006 / P690236-100086 (Carryover) / Dawnlight Ave. Area WL Imp’s / \$300,000.00 / (\$300,000.00) / \$0.00

6006 / P690421-100000 (Carryover) / Watershed Protection Easements / \$101,748.00 / (\$12,901.00) / \$88,847.00

6006 / P690236-100024 (Carryover) / Scioto Peninsula Imp’s / \$300,001.00 / \$312,901 / \$612,902.00

**Department of Public Utilities, Division of Sewerage and Drainage:**

**Fund / Project / Project Name / Current C.I.B. / Amendment Amount / C.I.B. as Amended**

6109 / P650259-100002 / JPWWTP Corr. Prev. Protect Coating Sys Ph. II / \$2,934,800.00 / (\$1,231,546.00) / \$1,703,254.00

6109 / P650885-100000 / Scioto Peninsula Improvements / \$1,000,000.00 / \$1,231,546.00 / \$2,231,546.00

**SECTION 2.** That from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 6102, Sub-fund 610201, 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, 2016, the sum of \$1,231,545.21 is hereby appropriated to the Division of Sewerage and Drainage.

**SECTION 3.** That the transfer of \$1,656,036.71, or so much thereof as may be needed, is hereby authorized between projects within Fund 7704 Streets and Highways Bond Fund per the accounting codes in the attachment to this Ordinance.

**SECTION 4.** That the transfer of \$312,900.89, or so much thereof as may be needed, is hereby authorized between projects within Fund 6006, Water GO Bonds Fund per the accounting codes in the attachment to this Ordinance.

**SECTION 5.** That the City Auditor is hereby authorized to transfer and appropriate a total \$1,231,545.21 from the Sanitary Sewer Reserve Fund to the Sanitary Sewer General Obligation Bond Fund, Fund 6109, into the Scioto Peninsula - West Broad Street Roadway Improvements project, 650885-100000, at such time as deemed necessary by the Auditor, or so much thereof as may be necessary per the account codes in the attachment to this ordinance or so much thereof as may be necessary per the account codes in the attachment to this ordinance.

**SECTION 6.** That the expenditure of \$5,156,036.71, or so much thereof as may be needed, is hereby authorized in Fund

7704 Streets and Highways Bond Fund in Object Level 06 Capital Outlay per the accounting codes in the attachment to this Ordinance.

**SECTION 7.** That the expenditure of \$1,844,446.54, or so much thereof as may be needed, is hereby authorized in Fund 6006 Water GO Bonds Fund and Fund 6109 Sanitary Sewer General Obligation Bond Fund, in Object Level 06 Capital Outlay per the accounting codes in the attachment to this Ordinance.

**SECTION 8.** That the Director of Public Service be and hereby is authorized to enter into contract with George J. Igel & Co., Inc., 2040 Alum Creek Drive, Columbus, Ohio 43207, for the Roadway Improvements - Scioto Peninsula - West Broad Street project in the amount of \$6,364,075.68, or so much thereof as may be needed, in accordance with the plans and specifications on file in the Office of Support Services, which are hereby approved; and to pay for necessary inspection costs associated with the project up to a maximum of \$636,407.57.

**SECTION 9.** 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 10.** 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 11.** 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 12.** That upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sanitary Sewer Reserve Fund the amount transferred above (Section 5), and said funds are hereby deemed appropriated for such purposes.

**SECTION 13.** 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 \$1,231,545.21 (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 Sanitary/Sewer Reserve Fund 6102, which is the fund from which the advance for costs of the Project will be made.

**SECTION 14.** 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.