



## Legislation Text

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**File #:** 1513-2013, **Version:** 1

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### **1. BACKGROUND**

This legislation authorizes the Director of Public Service to modify and increase the construction contract with Shelly and Sands, Inc. for the Resurfacing - Resurfacing 2012 Package 2 project in the amount of up to \$316,000.00 and to provide for additional construction administration and inspection services in the amount of \$45,000.00. Total legislated amount is \$361,000.00.

The contractor has completed all work included in the original contract.

Work to be performed as part of this modification includes, but not limited to, resurfacing Dimension Drive, Hutchinson Avenue, Vantage Drive, Huntington Park Drive, High Cross Boulevard, and Horizon Drive, all within the Campus View area. Curb work on Colonel Perry Drive and Fullen Road has been added.

Some of the additional work will be done to streets that will be used for maintaining traffic during the Ohio Department of Transportation's project at High St. and I-270. Construction is estimated to begin in September 2013. There is not enough time to prepare bid documents, procure new construction services, and complete the work before ODOT's project begins.

Original contract amount: \$6,942,338.81 (Ordinance 1117-2012, City contract number EL012951).

Modification no. 1 amount: \$316,000.00

Total contract amount, including this contract modification: \$7,258,338.81

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

### **2. CONTRACT COMPLIANCE**

The contract compliance number for Shelly and Sands, Inc. is 314351261 and expires 1/23/14.

### **3. FISCAL IMPACT**

Funds in the amount of \$361,000.00 are available for this project in the Streets and Highways Bond Fund, No.704, the Public Service Gov't Build America Bonds fund, No. 746, and the Street & Highway Improvements Fund, No. 766 within the Department of Public Service. An amendment to the 2013 Capital Improvements fund is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

### **4. EMERGENCY DESIGNATION.**

Emergency action is requested in order for the work to be completed before ODOT's project begins in September 2013 in order to maintain ODOT's project schedule.

To amend the 2013 Capital Improvements Budget; to authorize the City Auditor to appropriate funds within the Street and Highway Improvements Fund; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond Fund, the Public Service Build America Bonds fund, and the Street and Highway Improvements Fund; to authorize the Director of Public Service to modify and increase a contract with Shelly and Sands, Inc., and to provide for the payment of construction administration and inspection services in connection with the Resurfacing - Resurfacing 2012 Package 2 project contract modification; to authorize the expenditure of up to

\$361,000.00 from the Streets and Highways Bond Fund, the Public Service Govt'l Build America Bonds fund, and the Street & Highway Improvements; and to declare an emergency. (\$361,000.00)

**WHEREAS**, Department of Public Service is responsible for the construction and rehabilitation of roadways curbs within the City of Columbus; and

**WHEREAS**, the original contract no. EL012951 was authorized by ordinance no. 1117-2012; and

**WHEREAS**, this ordinance authorizes additional funding in the amount of \$361,000.00 for, but not limited to, resurfacing Dimension Drive, Hutchinson Avenue, Vantage Drive, Huntington Park Drive, High Cross Boulevard, and Horizon Drive, all within the Campus View area; as well as Curb work on Colonel Perry Drive and Fullen Road; and

**WHEREAS**, it is necessary to provide additional funds in the amount of \$45,000.00 for construction administration and inspection; and

**WHEREAS**, it is necessary to authorize an amendment to the 2013 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that the funding should be authorized immediately in order for the work to be completed before the Ohio Department of Transportation's High St. and I-270 project begins in September 2013 in order to maintain ODOT's project schedule, 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 2013 Capital Improvements Budget authorized by ordinance 0645-2013 be and is hereby amended to provide sufficient budget authority for the appropriate projects authorized within this ordinance as follows:

Fund / Project / Project Name / Current C.I.B. / Change / C.I.B. as amended

704 / 530282-100057 / Resurfacing - 2010 Project 6 (Voted Carryover) / \$0.00 / \$23,104.00 / \$23,104.00 (cancellation)  
746 / 530282-100056 / Resurfacing - 2010 Project 5 (Voted Carryover) / \$0.00 / \$68,916.00 / \$68,916.00 (cancellation)  
746 / 530282-100060 / Resurfacing - Zone 1 (Voted Carryover) / \$0.00 / \$131,488.00 / \$131,488.00 (cancellation)  
  
704 / 530161-100079 / Roadway Imp - Riverview/Olentangy (Voted Carryover) / \$138,465.00 / (\$54,488.00) / \$83,977.00  
704 / 530282-100057 / Resurfacing - 2010 Project 6 (Voted Carryover) / \$23,104.00 / (\$23,104.00) / \$0.00  
704 / 530282-100061 / Resurfacing - Zone 2 (Voted Carryover) / \$4,338.00 / (\$4,338.00) / \$0.00  
746 / 530282-100056 / Resurfacing - 2010 Project 5 (Voted Carryover) / \$68,916.00 / (\$68,916.00) / \$0.00  
746 / 530282-100060 / Resurfacing - Zone 1 (Voted Carryover) / \$131,488.00 / ( \$131,488.00) / \$0.00  
746 / 530301-100037 / Bridge Rehab - Citywide Project 2 (Voted Carryover) / \$17,732.00 / (\$17,732.00) / \$0.00  
766 / 530282-100055 / Resurfacing - 2010 Project 4 (Street & Highway Imp Carryover) / \$20,416.00 / (\$20,416.00) / \$0.00  
766 / 530282-100061 / Resurfacing - Zone 2 (Street & Highway Imp Carryover) / \$1,661.00 / (\$1,661.00) / \$0.00  
766 / 530282-100062 / Resurfacing - Zone 3 (Street & Highway Imp Carryover) / \$12,042.00 / (\$12,042.00) / \$0.00  
766 / 530282-100064 / Resurfacing - Zone 5 (Street & Highway Imp Carryover) / \$26,821.00 / (\$26,821.00) / \$0.00  
704 / 530282-100076 / Resurfacing - Far North (Voted Carryover) / \$0.00 / \$81,928.00 / \$81,928.00  
746 / 530282-100076 / Resurfacing - Far North (Voted Carryover) / \$0.00 / \$218,135.00 / \$218,135.00  
766 / 530282-100076 / Resurfacing - Far North (Voted Carryover) / \$0.00 / \$60,938.00 / \$60,938.00

**SECTION 2.** The sum of \$59,277.62 be and is hereby appropriated from the unappropriated balance of the Streets and Highways Improvement Fund, Fund 766, 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 as follows:

Fund / Project / Project Name / O.L. 01/03 Codes / OCA Code / amount  
766 / 530282-100055 / Resurfacing - 2010 Project 4 / 06-6600 / 768255 / \$20,415.73  
766 / 530282-100062 / Resurfacing - Zone 3 / 06-6600 / 728262 / \$12,041.25  
766 / 530282-100064 / Resurfacing - Zone 5 / 06-6600 / 768264 / \$26,820.64

**SECTION 3.** That the City Auditor be and is hereby authorized to transfer cash and appropriation within the Streets and Highways G.O. Bonds Fund, No. 704, the Public Service Govt'l Build America Bonds fund, No. 746, and the Street & Highway Improvements Fund, No. 766, as follows:

Transfer from:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
704 / 530161-100079 / Roadway Imp - Riverview/Olentangy / 06-6600 / 746179 / \$54,487.30  
704 / 530282-100057 / Resurfacing - 2010 Project 6 / 06-6600 / 745782 / \$23,103.05  
704 / 530282-100061 / Resurfacing - Zone 2 / 06-6600 / 748261 / \$4,337.24  
746 / 530282-100056 / Resurfacing - 2010 Project 5 / 06-6600 / 768256 / \$68,915.82  
746 / 530282-100060 / Resurfacing - Zone 1 / 06-6600 / 528260 / \$131,487.34  
746 / 530301-100037 / Bridge Rehab - Citywide Project 2 / 06-6600 / 760137 / \$17,731.55  
766 / 530282-100055 / Resurfacing - 2010 Project 4 / 06-6600 / 768255 / \$20,415.73  
766 / 530282-100061 / Resurfacing - Zone 2 / 06-6600 / 768261 / \$1,660.08  
766 / 530282-100062 / Resurfacing - Zone 3 / 06-6600 / 728262 / \$12,041.25  
766 / 530282-100064 / Resurfacing - Zone 5 / 06-6600 / 768264 / \$26,820.64

Transfer to:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
704 / 530282-100076 / Resurfacing - Far North / 06-6600 / 748276 / \$81,927.59  
746 / 530282-100076 / Resurfacing - Far North / 06-6600 / 728276 / \$218,134.71  
766 / 530282-100076 / Resurfacing - Far North / 06-6600 / 768276 / \$60,937.70

**SECTION 4.** That the Director of Public Service be and is hereby authorized to modify and increase the contract with Shelly and Sands, Inc., 1515 Harmon Ave., Columbus, Ohio 43223, for the Resurfacing - 2012 Resurfacing Package 2 project in the amount of \$316,000.00 or so much thereof as may be needed; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$45,000.00.

**SECTION 5.** That for the purpose of paying the cost of the contract and inspection, the sum of \$361,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways G.O. Bond Funds, No. 704, the Public Service Govt'l Build America Bonds fund, No. 746, and the Street & Highway Improvements Fund, No. 766 for the Division of Design and Construction, Dept.-Div. 59-12, as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
704 / 530282-100076 / Resurfacing - Far North / 06-6631 / 748276 / \$71,715.01  
746 / 530282-100076 / Resurfacing - Far North / 06-6631 / 728276 / \$190,943.40  
766 / 530282-100076 / Resurfacing - Far North / 06-6631 / 768276 / \$53,341.59

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
704 / 530282-100076 / Resurfacing - Far North / 06-6687 / 748276 / \$10,212.58  
746 / 530282-100076 / Resurfacing - Far North / 06-6687 / 728276 / \$27,191.31  
766 / 530282-100076 / Resurfacing - Far North / 06-6687 / 768276 / \$7,596.11

**SECTION 6.** 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 7.** 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 8.** 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 9.** 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.