



## Legislation Text

File #: 0609-2018, Version: 1

**1. BACKGROUND:** This Ordinance authorizes the Director of Public Utilities to modify and increase the construction contract with 2K General Company for the 910 Dublin Road Windows & EIFS Improvements Project, for the Division of Water, Capital Improvements Project No. 690026-100017, Contract No. 2093.

This project consists of the removal and replacement of existing windows and existing skylight, as well as restoration of the Exterior Insulation Finishing System (EIFS), at the Dana G. “Buck” Rinehart Public Utilities Complex located at 910 Dublin Road,

A modification is needed to the contract in order to fund unanticipated work. 2K General Company encountered existing conditions that were different and significantly worse than was anticipated and identified in the contract documents. The contractor has encountered concealed conditions which will require more extensive demolition and reconstruction than was anticipated or included in the contract documents. The original contract contingency is insufficient to pay for changes that have been identified for the remaining project work.

Planning Area: “West Olentangy”

**1.1 Amount of additional funds to be expended: \$420,000.00**

Original Contract Amount:	\$2,292,258.00	(PO065304)
Modification No. 1 (current):	<u>\$ 420,000.00</u>	
Total (Orig. + Mod. 1)	\$2,712,258.00	

**1.2. Reasons additional goods/services could not be foreseen:**

The general contractor 2K General Co. encountered existing conditions that were different and significantly worse than was anticipated and identified in the contract documents. The contractor has encountered concealed conditions which will require more extensive demolition and reconstruction than was anticipated or included in the contract documents. The original contract contingency is insufficient to pay for changes that have been identified for the remaining project work. The funds requested for this contract modification will cover the costs of this previously unanticipated work.

**1.3. Reason other procurement processes are not used:**

The work included in this modification is an essential part of the work currently being performed in the original contract. This modification keeps the contractor on schedule to finalize the 910 Dublin Road Windows & EIFS Imp’s project during the 2018 construction season without the need to extend the project into the next calendar year. The additional cost, risk and liability associated with bidding out this work would well exceed any benefit. The work was not anticipated at the time of bid and is determined to be necessary to properly complete elements of work underway on this project.

**1.4. How cost of modification was determined:**

With the assistance of the City Project Manager the Design Professional prepared a Request for Proposal document for the additional work. The Contractor responded to this request with a cost proposal for the services. The City Project Manager and the Design Professional reviewed the Contractor’s cost proposal and negotiated a cost to perform this work.

**2. CONTRACT COMPLIANCE INFO:** 31-1653018 (expires 3/13/19, Majority, DAX #005739)

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings

against 2K General Company.

**3. FISCAL IMPACT:** A transfer of funds within the Water G.O. Voted Bonds Fund is necessary as well as an amendment to the 2017 Capital Improvements Budget.

To authorize the Director of Public Utilities to modify and increase the construction contract with 2K General Company, in the amount of \$420,000.00, for additional work needed on the 910 Dublin Road Windows & EIFS Improvements Project for the Division of Water; to authorize a transfer and expenditure up to \$420,000.00 within the Water General Obligations Voted Bonds Fund; and to amend the 2017 Capital Improvements Budget. (\$420,000.00)

**WHEREAS,** Contract No. PO065304 with 2K General Company was authorized by Ordinance No. 0871-2017, passed May 1, 2017, was executed on June 2, 2017, and approved by the City Attorney on June 6, 2017, for the 910 Dublin Road Windows & EIFS Improvements Project; and

**WHEREAS,** a modification is needed to the contract in order to fund unanticipated work described in the background, in the amount of \$420,000.00; and

**WHEREAS,** it is necessary to authorize the Director of the Department of Public Utilities to execute a modification to the construction contract for the 910 Dublin Road Windows & EIFS Improvements Project; and

**WHEREAS,** it is necessary to authorize a transfer and expenditure of funds within the Water G.O. Voted Bonds Fund, for the Division of Water; and

**WHEREAS,** it is necessary to authorize an amendment to the 2017 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS,** it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Water, to authorize the Director of Public Utilities to modify and increase the construction contract with 2K General Company, for the 910 Dublin Road Windows & EIFS Improvements Project, for the preservation of 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 Director of Public Utilities is hereby authorized and directed to modify and increase the construction contract with 2K General Company for the 910 Dublin Road Windows & EIFS Improvements Project in the amount of \$420,000.00.

**SECTION 2.** That the transfer of \$20,000.00, or so much thereof as may be needed, is hereby authorized between projects within Fund 6006 - Water G.O. Bond Fund per the account codes in the attachment to this ordinance. (There is already \$400k in Fund 6006, P690026.)

**SECTION 3.** That the 2017 Capital Improvements Budget is hereby amended, in Fund 6006 - Water G.O. Bonds Fund, as follows:

<u>Project ID</u>	<u>Project Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Change</u>
P690026-100016 (NEW)	Home Road Property Demolition	\$400,000	\$0	-\$400,000
P690430-100001 (carryover)	HCWP Treatment Imps - Design & Constr.	\$0	\$25,564	+\$25,564 (establish authority for entire amount of cancellation)

P690430-100001 (carryover) | HCWP Treatment Imps - Design & Constr. | \$25,564 | \$5,564 | -\$20,000  
P690026-100017 (NEW) | 910 Dublin Rd. Windows & EIFS Imp's | \$0 | \$400,000 | +\$400,000  
P690026-100017 (carryover) | 910 Dublin Rd. Windows & EIFS Imp's | \$2,292,258 | \$2,312,258 | +\$20,000

**SECTION 4.** That an expenditure up to \$420,000.00, or so much thereof as may be needed, is hereby authorized in Object Class 06 - Capital Outlay, per the accounting codes in the attachment to this ordinance.

**SECTION 5.** 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 6.** That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

**SECTION 7.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 8.** 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 9.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.