



## Legislation Text

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**File #:** 2748-2012, **Version:** 1

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### **1. BACKGROUND**

This ordinance authorizes the Director of Public Service to modify and increase an existing contract with Decker Construction Company in the amount of \$30,000.00.

In the City of Columbus right-of-way, there are various types of utility excavations that require repair to roadway and surrounding areas. The purpose of this contract is to provide a means to properly repair damaged items such as pavement, curb, and sidewalk due to these excavations.

This modification, in the amount of \$30,000.00 is necessary to allow the Division of Planning and operations to continue these repairs prior to the establishment of a new contract in 2013. The cost, terms and conditions of this modification are in accordance with the original agreement.

The original contract amount of \$500,000.00, City Auditor contract EL008481, was authorized by ordinance 0991-2008. The first modification to the contract in the amount of \$45,826.22(authorized by ordinance 0528-2012, EL012610) The amount of this modification, number 2, is \$30,000.00. The total contract including this modification is \$575,826.22.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Decker Construction Company.

### **2. FISCAL IMPACT**

The amount for this modification is \$30,000.00 and is available within the Street and Highway Improvement Fund.

### **3. CONTRACT COMPLIANCE**

The contract compliance number for Decker Construction Company is 310983557 and expires 2/3/14.

### **4. EMERGENCY DESIGNATION**

Emergency action is requested to provide funding for this project to insure Columbus Streets are properly maintained and safe for the travelling public.

To authorize the Director of Public Service to execute a contract modification with Decker Construction Company for the Utility Cut and Restoration Project; to authorize the appropriation, transfer and expenditure of \$30,000.00 from the Street and Highway Improvement Fund for the Division of Planning and Operations; and to declare an emergency. (\$30,000.00)

**WHEREAS**, the Department of Public Service is responsible for insuring roadways within the City are properly maintained and safe for the travelling public; and

**WHEREAS**, in the City right-of-way there are various types of utility excavations that require repair to roadways and surrounding areas; and

**WHEREAS**, for the purpose of performing this work the Department of Public Service maintains a contract(EL008481) which was established in 2008 and authorized by ordinance 0991-2008; and

**WHEREAS**, ordinance 0528-2012 authorized the first modification to this contract in the amount of \$45,826.22 for the purpose of providing additional funds for to continue these necessary roadway improvements; and

**WHEREAS**, funding is budgeted in the 2013 Capital Improvement Budget for a new contract to be bid in 2013, but it is necessary to establish additional funding prior to the award of a new contract; and

**WHEREAS**, this ordinance authorizes the Director of Public Service to execute a contract modification for the Utility Cut and Restoration Project - 2008 contract; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of Planning and Operations, in that this contract should be modified immediately so needed repairs within the right of way can continue and City roadways are properly maintained, 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 Director of Public Service be and is hereby authorized to execute a contract modification to the Utility Cut and Restoration Project - 2008 contract in the amount of \$30,000.00 with Decker Construction Company, 3040 McKinley Avenue, Columbus, Ohio, 43204.

**SECTION 2.** That the 2012 C.I.B. be amended to establish sufficient authority for this project as follows:

Fund / Project / Project Name / Current C.I.B. / Amendment Amount / C.I.B. as amended  
766 / 766999-100000 / Unallocated Balance (Street & Highway Improvement Carryover) / \$1,385,341.00 / (\$30,000.00) / \$1,355,341.00  
766 / 590956-100000 / Utility Cut Outs (Street & Highway Improvement Carryover) / \$45,827.00 / \$30,000.00 / \$75,827.00

**SECTION 3.** The sum of \$30,000.00 be and is hereby appropriated from the unappropriated balance of the Street 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, 2012 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
766 / 766999-100000 / Unallocated Balance / 06-6631 / 766999 / \$30,000.00

**SECTION 4.** That the transfer of cash and appropriation in Fund 766, The Street and Highway Improvement Fund, be authorized as follows:

Transfer from:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
766 / 766999-100000 / Unallocated Balance / 06-6631 / 766999 / \$30,000.00

Transfer to:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
766 / 590956-100000 / Utility Cut Outs / 06-6631 / 591135 / \$30,000.00

**SECTION 5.** That for the purpose of paying the cost of this contract modification, the sum of \$30,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Street and Highways Improvement Fund, Fund 766, Dept.-Div. 59-11 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
766 / 590956-100000 / Utility Cut Outs / 06-6631 / 591135 / \$30,000.00

**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.