



## Legislation Text

File #: 3219-2023, Version: 1

### 1. BACKGROUND

This ordinance authorizes the Director of the Department of Public Service to modify and increase an existing contract with Strawser Paving Co., Inc. ("Strawser Paving Company") for the Roadway Improvements - Little Turtle Way project in an amount up to \$400,000.00.

Ordinance 1820-2021 authorized the Director of Public Service to enter into a contract with Strawser Paving Company for the construction of the Roadway Improvements - Little Turtle Way project and to provide for construction administration and inspection services. This contract includes the reconstruction and realignment of Little Turtle Way from the entrance ramp to SR161 West Bound to Firewater Lane. The reconstruction will include the installation of a roundabout at the intersection of Little Turtle Way and Longrifle Road. Longrifle Road will be reconstructed between Garand Drive and Double Eagle Drive. Full depth reconstruction will follow the alignment of the existing Little Turtle Way West, and other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents.

The construction of the project is currently in progress. The project has experienced a delay of six months due to a restraining order halting construction as result of litigation regarding Right-of-Way acquisition for the project. The project has required extra work not originally in the contract including the resurfacing of existing northbound Little Turtle Way, flooding mitigation, stormwater pollution prevention plan and the resurfacing of Firewater Lane and Double Eagle Drive. These items have depleted the contingency funds.

Modification 1 will provide additional contingency funds for future unforeseen circumstances and extra work to ensure construction remains on-schedule.

#### **1.1 Amount of additional funds to be expended: \$450,000.00**

The original contract amount:	\$5,305,300.70	(PO310508, Ord. 1820-2021)
The total of Modification No. 1:	<u>\$ 400,000.00</u>	<u>(This Ordinance)</u>

The contract amount including all modifications: \$5,705,300.70

The amount of construction administration and inspection services will be \$50,000.00. The total legislated amount is \$450,000.00.

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

The additional funds requested with this contract modification, will replenish the funds from the original project contingency to adjust contract prices as a result of the delayed notice to proceed and address multiple unforeseen circumstances during the early stages of construction. This modification also includes the estimated cost to resurface the existing pavement of Double Eagle Drive from existing northbound Little Turtle Way to proposed Little Turtle Way and Firewater Lane east of Little Turtle Way. These pavement sections are not included in the project to be resurfaced but their existing deteriorated conditions and proximity within the project limits warrants resurfacing with the project.

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

This contract modification provides additional contingency funds for future unforeseen circumstances and extra work to ensure construction remains on-schedule. It was deemed to be more cost efficient to modify the existing contract than to bid this part of the work.

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

The cost for all items, aside from resurfacing the existing pavement sections of Double Eagle Drive and Firewater Lane, was determined via actual cost force account as labor, material, and equipment costs were tracked while work was performed. The cost for resurfacing the existing pavement sections of Double Eagle Drive and Firewater Lane was determined as an estimated cost based on contract line items.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Strawser Paving Company.

**2. CONTRACT COMPLIANCE**

The contract compliance number for Strawser Paving Company is CC006114 and expires 1/17/2025.

**3. PRE-QUALIFICATION STATUS**

Strawser Paving Company 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 \$450,000.00 is available and appropriated within the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2023 Capital Improvements Budget and a transfer of funds are necessary to align funding for these project expenditures.

**5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This expenditure is to modify a contract that was put in place prior to the implementation of this program and as such is not a part of the program.

**7. EMERGENCY DESIGNATION**

Emergency legislation is necessary to ensure funds are available in the event additional unforeseen circumstances or other extra work is required as work on the project continues to progress this construction season.

To amend the 2023 Capital Improvements Budget; to authorize the transfer of funds between projects within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a contract modification with Strawser Paving Co., Inc. in connection with the Roadway Improvements - Little Turtle Way project; to authorize the expenditure of up to \$450,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$450,000.00)

**WHEREAS**, contract no. PO310508 with Strawser Paving Company, in the amount of \$5,305,300.70, was authorized by Ordinance No. 1820-2021; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$400,000.00 for the purpose of performing additional construction work in the Roadway Improvements - Little Turtle Way project; and

**WHEREAS**, it is necessary to provide for contract payment for that project and provide for additional construction administration and inspection services of up to \$50,000.00; and

**WHEREAS**, it is necessary to amend the 2023 Capital Improvement Budget and transfer cash to align funding for project expenditures; and

**WHEREAS**, this expenditure is to modify a contract that was put in place prior to the implementation of this program and as such is not a part of the program; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is

immediately necessary to enter into a contract modification with Strawser Paving Company to ensure funds are available in the event of additional unforeseen circumstances as work on the project continues to progress, to ensure the safety of the traveling public, all for the immediate preservation of the public health, peace, property, and safety; **NOW, THEREFORE,**

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

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by Ordinance No. 1711-2023 be amended to establish sufficient authority for this project:

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

7704 / P530103-100000 / 59-03 Arterial Street Rehabilitation (Voted Carryover) / \$369,241.00 / (\$369,241.00) / \$0.00  
7704 / P530086-100000 / 59-03 Misc. Intersection Improvements (Voted Carryover) / \$285,282.00 / (\$80,759.00) / \$204,523.00

7704 / P531002-100000 / Roadway Improvements - Little Turtle Way (Voted Carryover) / \$0.00 / \$450,000.00 / \$450,000.00

**SECTION 2.** That the transfer of \$369,241.00 or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530103-100000 (59-03 Arterial Street Rehabilitation), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), P531002-100000 (Roadway Improvements - Little Turtle Way), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$80,759.00 or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5913 (Traffic Management), Project P530086-100000 (59-03 Misc. Intersection Improvements), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), P531002-100000 (Roadway Improvements - Little Turtle Way), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Director of the Department of Public Service be and hereby is authorized to enter into a contract modification with Strawser Paving Company located at 1595 Frank Road, Columbus, OH 43223, for the Roadway Improvements - Little Turtle Way project in the amount of \$400,000.00, or so much thereof as may be needed, in accordance with the plans and specifications on file in the Department of Public Service, which are hereby approved and to pay for necessary construction administration and inspection costs associated with the project up to a maximum of \$50,000.00.

**SECTION 5.** That the expenditure of \$450,000.00 or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction), Project P531002-100000 (Roadway Improvements - Little Turtle Way), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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.