



## Legislation Text

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**File #: 1222-2024, Version: 1**

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### **1. BACKGROUND**

This ordinance authorizes the Interim Director of Public Service to modify a professional services contract with 2LMN, Inc. to add additional funds for design of the Signals - N. 4th Street, Phase 1 project.

Ordinance 2904-2022 authorized the Director of Public Service to enter into a professional services contract with 2LMN, Inc. for the Signals - N. 4th Street, Phase 1 project. This ordinance authorizes the Interim Director of Public Service to modify the contract in the amount of \$150,000.00.

#### **1.1 Amount of additional funds to be expended: \$150,000.00**

The original contract amount:	\$600,000.00	(PO364227, Ord. 2904-2022)
The total of Modification No. 1:	<u>\$150,000.00</u>	<u>(This Ordinance)</u>
The contract amount including all modifications:	\$750,000.00	

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

This is a planned modification that necessary to allow additional resources to perform engineering services for the reconstruction of five signals along 4th Street at the intersections of E. 1st Avenue, E. 2nd Avenue, E. 5th Avenue, E. 7th Avenue, and E. 17th Avenue. This includes replacement of existing facilities as impacted including concrete sidewalk, lighting, stormsewer. The original amount of services needed were an estimate before a scope and task list was completed. This modification will allow work to proceed and payments to be made for services provided.

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

It was deemed to be more cost efficient to modify the existing contract to have the company familiar with the project complete the design work rather than to bid the remaining part of the work.

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

2LMN, Inc. and subconsultants provided a cost breakdown for each task included in the project scope. After negotiations, the final fee was determined to be in line with what is expected for the scope of work. Costs were also compared to other recent design project of similar scope and magnitude to verify they are reasonable.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against 2LMN, Inc.

### **2. CONTRACT COMPLIANCE**

The contract compliance number for 2LMN, Inc. is CC015414 and expires 10/10/2025.

### **3. FISCAL IMPACT**

Funding for this contract is budgeted, available, and appropriated within Fund 2265, the Street Construction Maintenance and Repair Fund.

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

This contract was bid with a City of Columbus MBE/WBE Program goal of 18% as assigned by the City's Office of Diversity and Inclusion (ODI). Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the "City's Minority and Women-Owned Business Enterprise & Small Local Business

Enterprise Program Manual” and in the “City of Columbus MBE/WBE Program Special Provision” that were part of the bid documents for this contract.

## **5. EMERGENCY DESIGNATION**

Emergency action is requested to expedite this contract so that upcoming signal projects may be governed by updated standards, policies, and practices, enhancing the safety of the traveling public.

To authorize the Interim Director of Public Service to enter into a contract modification with 2LMN, Inc. in connection with the Signals - N. 4th Street, Phase 1 project; to authorize the expenditure of up to \$150,000.00 from the Street Construction Maintenance and Repair Fund to pay for this contract; and to declare an emergency. (\$150,000.00)

**WHEREAS**, contract no. PO364227 with 2LMN, Inc., in the amount of \$600,000.00, was authorized by ordinance no. 2904-2022; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$150,000.00 and provide additional funds for the Signals - N. 4th Street, Phase 1 project; and

**WHEREAS**, it is necessary to pay for the contract work; and

**WHEREAS**, this contract opportunity was submitted to the City’s Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding; and

**WHEREAS**, this contract was bid with a City of Columbus MBE/WBE Program goal of 18% as assigned by the City’s Office of Diversity and Inclusion (ODI); and

**WHEREAS**, failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance; 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 Interim Director of Public Service to enter into contract with 2LMN, Inc. so that upcoming signal projects may be governed by updated standards, policies, enhancing the safety of the traveling public 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 Interim Director of Public Service be, and hereby is, authorized to enter into a professional services contract with 2LMN, Inc. at 1105 Schrock Rd., Suite 516, Columbus, OH 43229, for the Signals - N. 4th Street, Phase 1 project in an amount up to \$150,000.00.

**SECTION 2.** That the expenditure of \$150,000.00, or so much thereof as may be needed, is hereby authorized in Fund 2265 (Street Construction Maintenance and Repair Funds), Dept-Div 5913 (Traffic Management), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 3.** 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 4.** 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.