



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

---

**File #: 0534-2005, Version: 1**

---

### **Background:**

This ordinance will authorize the Director of Recreation and Parks to enter into a contract with "Mark" of Diamonds for Berliner Park Ball Diamond Restoration.

The work consists of renovations to 23 ball diamonds due to flooding damage. Work includes removal of material from fence/backstop area and re-grade, remove perimeter lips on each diamond, pack the batters box on each diamond, and top dress each diamond with diamond provitrified clay.

The Contract Compliance Number for "Mark" of Diamonds is #31-1319303.

"Mark" of Diamonds was selected to complete this project based on their past experience in this line of work and their ability to complete the work in the short time period required.

The department is requesting the waiver of the bidding provisions of the Columbus City Codes to enter into a contract with "Mark" of Diamonds as it is impossible to obtain bids to satisfy need with the time required by formal bidding process.

Emergency action is necessary, per Mayor's letter, to allow "Mark" of Diamonds to restore ball diamonds prior to the Spring 2005 season.

### **Fiscal Impact:**

\$228,175.00 is required and budgeted in the Sewer System Permanent Improvements Fund to meet the financial obligation of this professional services contract.

To authorize and direct the Director of Recreation and Parks to enter into a contract with "Mark" of Diamonds for Berliner Park Ball Diamond Restoration, to waive the necessary competitive bidding requirements, to authorize the appropriation, transfer and expenditure of \$228,175.00 from within the Sewer System Permanent Improvements Fund; to amend the 2004 Capital Improvements Budget, and to declare an emergency. (\$228,175.00)

**WHEREAS**, it is in the best interest of the City of Columbus to waive the requirements of competitive bidding and contract with "Mark" of Diamonds for the purpose of Berliner Park Ball Diamond Restoration; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary for this Council to authorize the City Auditor to appropriate, transfer and expend the necessary funds; to amend the 2004 Capital Improvements Budget; and to authorize the Director of Recreation and Parks to enter into a contract to restore the Berliner Park ball diamonds prior to the Spring 2005 season, in accordance with the Mayor's Declaration of Emergency, for the preservation of the public health, peace and safety; now, therefore

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

**SECTION 1.** That this Council finds it in the best interest of the City of Columbus to waive requirements of competitive bidding for professional services for the Berliner Park Ball Diamond Restoration, and does hereby waive provisions of Section 329.06 (b) of the Columbus City Codes.

**SECTION 2.** That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with "Mark" of Diamonds for the Berliner Park Ball Diamond Restoration.

**SECTION 3.** That the City Auditor is hereby authorized and direct to appropriate a total of \$228,175.00 within the Sewer System Permanent Improvements Fund, Division 60-05, Object Level 3 No. 6630, as follows:

Proj. 671999| Unallocated Balance| OCA Code 900671| Amount: \$228,175.00

**SECTION 4.** That the City Auditor is hereby authorized and directed to transfer \$228,175.00 in the said fund as follows:

FROM:

Proj. 671999| Unallocated Balance| Div. 60-05| Fund 671| OCA Code 900671

TO:

Proj. 650404| Sanitary System Rehab.| OCA Code 655316| Amount: \$228,175.00

**SECTION 5.** That the expenditure of \$228,175.00, or so much thereof as may be necessary, be and is hereby authorized from the Sewer System Permanent Improvements Fund No. 671, Project #650404, OCA Code #655316, and Object Level 3 #6630, to pay the cost thereof.

**SECTION 6.** 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; except that no transfer shall be so made from a project account funded by monies from more than one source.

**SECTION 7.** That the 2004 Capital Improvements Budget Ordinance No. 1059-2004 is hereby amended as follows, in order to provide sufficient budget authority for the aforementioned emergency services as referenced in the preamble hereto.

CURRENT:

650404-Sanitary System Rehab. City Wide - \$0.00 (Sewer Sys. Perm. Imp.)

AMENDED TO:

650404-Sanitary System Rehab. City Wide - \$228,175.00 (Sewer Sys. Perm. Imp.)

**SECTION 8.** 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.