



## Legislation Text

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**File #:** 1473-2007, **Version:** 1

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**Background:** This legislation authorizes a modification to the design contract with American Structurepoint, Incorporated, (formerly American Consulting, Incorporated) for the John Glenn Avenue project. This project is being designed to widen and reconstruct John Glenn Avenue from Alum Creek Drive to Shook Road. Total length of the project is 3,168 feet.

This ordinance also officially recognizes the company name change from American Consulting, Incorporated to American Structurepoint, Incorporated and authorizes the Public Service Director to assign all past, present, and future City of Columbus business transactions with American Consulting, Incorporated to American Structurepoint, Incorporated as required by the City Auditor's office

This contract modification is necessary to provide additional design services for a road survey and to design an off-site storm sewer to provide storm drainage that meets the best management practice for storm water requirements (work not required in original scope of services).

This modification is an addition to the original scope of services but is a continuation of the existing work being performed and it would not be practical to contract with a different consultant.

Current hourly rate, the overhead rate and the percentage of profit that were negotiated at the beginning of this project were used to determine the amount of this modification. American Structurepoint, Incorporated (formerly American Consulting, Incorporated), CC#351127317, expiring 1/27/08, was selected in 2006 in accordance with Chapter 329 for professional service contracts.

The original contract amount was \$260,000.00. The amount of this modification is \$48,000.00. The total of all modifications is \$48,000.00. The contract amount, including all modifications is \$308,000.00.

Emergency action is requested for immediate modification of the design contract for the earliest possible completion of the design to stay on schedule for construction and preserve the safety and welfare of the public.

**Fiscal Impact:** This portion of the project is budgeted in the 2007 Capital Improvements Budget. This ordinance certifies \$48,000.00 from the Special Income Tax Fund as a temporary measure until the next bond/note sale occurs, at which point that Fund will be reimbursed. The City has applied for an Ohio Public Works Commission grant to construct the John Glenn Avenue project. Construction is tentatively scheduled for the Spring of 2009.

To authorize the City Auditor to transfer \$48,000.00 from the Special Income Tax Fund to the Voted 1995, 1999, 2004 Streets and Highways Fund; to authorize the Director of Public Service to modify and increase the contract with American Structurepoint, Incorporated (formerly American Consulting, Incorporated) for a road survey and to design an off-site storm sewer for the John Glenn Avenue project; to authorize the appropriation of said funds; to authorize the expenditure of \$48,000.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund for the Transportation Division; to officially recognize the company name change from American Consulting, Incorporated to American Structurepoint, Incorporated; and to declare an emergency. (\$48,000.00).

**WHEREAS,** contract no. CT-19809 was authorized by ordinance no. 2327-98, passed October 16, 1998, executed and approved by the City Attorney on October 28, 1998; and

**WHEREAS,** it is necessary to modify this contract to increase the scope of services per the consultant's fee proposal dated February 19, 2007 for the John Glenn Avenue project; and

**WHEREAS**, the city will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

**WHEREAS**, this transfer should be considered a temporary funding method; and

**WHEREAS**, the aggregate principal amount of the obligations which the city will issue to finance this purchase is presently expected not to exceed \$48,000.00; and

**WHEREAS**, American Consulting, Incorporated has transitioned to American Structurepoint, Incorporated; and

**WHEREAS**, the City Auditor's Office requires that these changes be officially acknowledged by City Council; and

**WHEREAS**, to facilitate the Transportation Division's uninterrupted payments to this vendor, it is necessary to assign all past, present, and future business to their successor firms; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that the contract should be modified and increased immediately so that the work may proceed without delay, 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 modify and increase contract no. CT-19809, with American Structurepoint, Incorporated (formerly American Consulting, Incorporated) in order to provide additional design services for a road survey and to design an off-site storm sewer to provide storm drainage for the John Glenn Avenue project in accordance with the plans on file in the office of the City Engineer.

**SECTION 2.** That the Public Service Director be and hereby is authorized to assign all past, present, and future City business with American Consulting, Incorporated to American Structurepoint, Incorporated, 7260 Shadeland Station, Indianapolis, IN, 46256-3917, Contract Compliance number 351127317.

**SECTION 3.** That from the unappropriated monies in the Special Income Tax Fund, Fund 430, and from the 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, 2007, the sum of \$48,000.00 be and hereby is appropriated to the City Auditor, Department No. 22-01, Object Level One Code 10, Object Level Three Code 5500, OCA Code 920023.

**SECTION 4.** That the City Auditor is hereby authorized to transfer \$48,000.00 to the Voted 1995, 1999, 2004 Streets and Highways Fund, Fund 704, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

**SECTION 5.** That \$48,000.00 is hereby appropriated within the Voted 1995, 1999, 2004 Streets and Highways Fund, Fund 704, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6682, OCA Code 644385, Project 530161 to modify and increase contract no. CT-19809, with American Structurepoint, Incorporated (formerly American Consulting, Incorporated) in order to provide additional design services for a road survey and to design an off-site storm sewer to provide storm drainage for the John Glenn Avenue Improvement project for the Transportation Division.

**SECTION 6.** That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 3 above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 7.** That the City intends that this ordinance constitute an official intent for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

**SECTION 8.** That for the purpose of paying the cost of the contract modification thereof, the sum of \$48,000 or so much thereof as may be needed, is hereby authorized to be expended from the Voted 1995, 1999, 2004 Streets and Highways Fund, Fund 704, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6682, OCA Code 644385 and Project 530161.

**SECTION 9.** 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 10.** 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.