



## Legislation Text

File #: 3178-2023, Version: 1

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to modify a professional services contract with Kimley Horn and Associates, Inc. to add additional funds for design of the Roadway Improvements - Sancus Boulevard Widening project.

Ordinance 2406-2021 authorized the Director of Public Service to enter into a professional services contract with Kimley Horn and Associates, Inc. for the Roadway Improvements - Sancus Boulevard Widening project. The project consists of the design of street improvements to Sancus Boulevard from Worthington Woods Boulevard to Lazelle Road. Improvements include pavement widening to add a center turn lane where necessary, pavement rehabilitation, shared use path, sidewalk, traffic signal replacements, and street lighting. Additionally, the project consists of the design for a new shared use path along the west side of Sancus Boulevard from Lakeview Plaza Boulevard/Worthington-Galena Road to Worthington Woods Boulevard. This ordinance authorizes the Director of Public Service to modify the contract in the amount of \$1,498,509.06.

Ordinance 2534-2022 authorized the Director of Public Service to submit MORPC Attributable Funds roadway improvement project applications and execute project agreement for funding within the Transportation Improvement Program for the Roadway Improvements - Sancus Blvd Widening project.

<b><u>1.1 Amount of additional funds to be expended:</u></b>	<b><u>\$1,498,509.06</u></b>
The original contract amount:	\$ 800,000.00 (PO295353, Ord. 2406-2021)
The total of Modification No. 1:	<b><u>\$1,498,509.06</u></b> (This Ordinance)

The contract amount including all modifications: \$2,298,509.06

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

This is a planned modification that is necessary to allow additional resources to complete the design process. The amount initially legislated for this project did not include the full amount that would be needed to fund this project through final design and construction services.

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

This is a planned modification to allow for additional work as funds became available. The amount being requested is for the consultant and project team to complete final design phases including bidding and construction services. It was decided that it is in the best interest of the City to modify the existing contract instead of bidding this part of the work.

### 1.4 How cost of modification was determined:

The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal/contract.

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

### 2. CONTRACT COMPLIANCE

The contract compliance number for Kimley Horn and Associates, Inc. is CC024725 and expires 2/1/2025.

### 3. FISCAL IMPACT

Funding in the amount of \$998,509.06 is available in the Polaris Interchange Fund, Fund 7770, for this project. It is necessary to transfer and appropriate funds within Fund 7770 to align spending with the proper project.

The remaining funding in the amount of \$500,000.00 is available and appropriated within the Streets and Highways Bond Fund, Fund 7704 within the Department of Public Service. An amendment to the 2023 Capital Improvements Budget and a transfer of funds and appropriation are necessary to align funding for these project expenditures.

### 4. 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 the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise program and as such is not a part of the program.

### 5. EMERGENCY DESIGNATION

Emergency action is requested to meet the deadlines for the federal funding, meet the requirements of the grant, and to preserve the safety of the traveling public.

To amend the 2023 Capital Improvements Budget; to authorize the transfer of funds and appropriation within the Streets and Highways Bond Fund and the Polaris Interchange Fund; to appropriate funds within the Polaris Interchange Fund; to authorize the transfer of funds between projects within the Polaris Interchange Fund; to authorize the Director of Public Service to enter into a contract modification with Kimley-Horn and Associates, Inc. for the Roadway Improvements - Sancus Blvd Widening project; to authorize the expenditure of up to \$1,498,509.06 from the Polaris Interchange Fund and the Streets and Highways Bond Fund to pay for this contract; and to declare an emergency. (\$1,498,509.06)

**WHEREAS**, contract no. PO295353 with Kimley Horn and Associates, Inc., in the amount of \$800,000.00, was authorized by ordinance no. 2406-2021; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$1,498,509.06 and provide additional funds for the Roadway Improvements - Sancus Blvd Widening project; and

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

**WHEREAS**, it is necessary to authorize additional appropriation within Fund 7770, the Polaris Interchange Fund; and

**WHEREAS**, it is necessary to transfer \$278,339.60 of cash within the Polaris Interchange Fund, Fund 7770 to align spending with the proper project; and

**WHEREAS**, it is necessary to authorize the expenditure of up to \$998,509.06 within Fund 7770, the Polaris Interchange Fund and the expenditure of \$500,000.00 from the Streets and Highways Bond Fund, Fund 7704; and

**WHEREAS**, this expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise 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 authorize the Director enter into a contract modification with Kimley-Horn and Associates, Inc. to meet deadlines for federal grant funding, and to preserve the safety of the traveling public, all for the immediate preservation of the public health, peace, property, safety, and welfare; and **now, therefore**

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

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by Ordinance 1711-2023 be amended to establish sufficient authority for this project:

**Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

7704 / P540002-100113 / Bikeway - Sancus Boulevard SUP - Worthington-Galena Road to Worthington Woods Boulevard (Voted Carryover) / \$700,000.00 / (\$251,983.00) / \$448,017.00

7704 / P530161-100185 / Roadway Improvements - Sancus Blvd Widening (Voted Carryover) / \$248,017.00 / \$251,983.00 / \$500,000.00

**SECTION 2.** That the transfer of \$278,339.60, or so much thereof as may be needed, is hereby authorized within Fund 7770 (Polaris Interchange Fund), from Dept-Div 5912 (Design and Construction), Project P530103-100000 (Arterial Street Rehabilitation), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530161-100185 (Roadway Improvements - Sancus Blvd Widening), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$251,983.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5911 (Infrastructure Management), Project P540002-100113 (Bikeway - Sancus Boulevard SUP - Worthington-Galena Road to Worthington Woods Boulevard), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530161-100185 (Roadway Improvements - Sancus Blvd Widening), Object Class 06 (Capital Outlay) between projects per the account codes in the attachment to this ordinance.

**SECTION 4.** That from the unappropriated monies 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 ended December 31, 2023, the sum of \$110.10 is appropriated in Fund 7770 (Polaris Interchange Fund), Dept-Div 5912 (Design and Construction), Project P530103-100000 (Arterial Street Rehabilitation), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 5.** That the Director of Public Service be, and hereby is, authorized to enter into a contract modification with Kimley-Horn and Associates, Inc. located at 7965 North High Street, Suite 200, Columbus, OH 43235, for the Roadway Improvements - Sancus Blvd Widening and the Bikeway - Sancus Boulevard SUP - Worthington-Galena Road to Worthington Woods Boulevard project in the amount of \$1,498,509.06, 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.

**SECTION 6.** That for the purposes stated herein, the expenditure of \$998,509.06, or so much thereof as may be needed, is hereby authorized in Fund 7770 (Polaris Interchange Fund), Dept-Div 5912 (Design and Construction), Project P530161-100185 (Roadway Improvements - Sancus Blvd Widening), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 7.** That the expenditure of \$500,000.00, 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 P530161-100185 (Roadway Improvements - Sancus Blvd Widening), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 8.** 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 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 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 11.** 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.