



Legislation Text

File #: 1865-2017, **Version:** 1

1. BACKGROUND:

This legislation authorizes a bidding waiver for the Director of Public Service to enter into construction services contracts with G & G Cement Contractors and Petruzzi Concrete Design in connection with the Pedestrian Safety Improvements - Sidewalk Program 2016 and to provide payment for construction administration and inspection services.

The Pedestrian Safety Improvements - Sidewalk Program 2016 project is also known as the Notice of Violation program. In response to 311 tickets, an inspector visits a property and determines if the sidewalk/driveway apron/shared use path/curb in the public right-of-way is in need of repair and in violation of City Code. Per City Code, the property owner is responsible for making these repairs. If repairs are needed, a Notice of Violation is sent to the property owner. The property owner can either make the repair or the City will make the repair for them and the property owner will be invoiced for the repairs. A contract was bid and established in 2016 for a contractor to make these repairs on an as-needed basis on behalf of the City. This contract was bid as a potential three-year contract and a request to approve funding for year two of the contract was submitted for Council approval as Ordinance 1765-2017.

Council implemented the Sidewalk Rescue Program to assist low-income property owners to pay for these repairs through a grant from the City. Council requested that small businesses located within the City of Columbus be used to make the repairs to properties that received a grant through the Sidewalk Rescue Program. The Department of Public Service used the United States Small Business Administration definition of a small business to identify potential businesses for this contract, which is annual gross income of \$15,000,000 or less for concrete contractors. The State's EDGE (Encouraging Diversity, Growth, and Equity) website was used to locate potential small businesses within the City for this work, and the City's Office of Diversity and Inclusion was also consulted to locate potential businesses. Ten companies were found within the City of Columbus that met the definition of a small business for concrete contractors. All ten companies were contacted and expressed interest. G & G Cement Contractors and Petruzzi Concrete Design were the only two companies that responded to requests for pricing. City Code does not allow a bid to be done to exclude all but small businesses located within the City of Columbus, so a bidding waiver is requested to allow the Department of Public Service to enter contract with these companies.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against G & G Cement Contractors and Petruzzi Concrete Design.

2. WAIVER OF COMPETITIVE BIDDING

The Department is seeking approval under Columbus City Code Section 329.15 to waive competitive bidding for the selection of construction services for the Sidewalk Rescue Program and enter into contract directly with G & G Cement Contractors and Petruzzi Concrete Design.

3. CONTRACT COMPLIANCE

The contract compliance number for G & G Cement Contractors is CC24129-15414, Vendor Number 004468, and expires 5/6/18. The contract compliance number for Petruzzi Concrete Design is CC003771, Vendor Number 003771, and expires 11/15/18.

4. FISCAL IMPACT

Funding for this project is available within the Department of Public Service's Street and Highway Improvement Non-Bond Fund, Fund 7766. Amendment to the 2017 Capital Improvements Budget is necessary to establish sufficient cash

and authority in the proper project.

5. EMERGENCY DESIGNATION

Emergency action is requested in order to allow this project to begin at the earliest possible time this construction season and to allow the improvements to be available to the public for the highest provision of pedestrian safety.

To amend the 2017 Capital Improvement Budget; to appropriate funds within the Street and Highway Improvement Non-Bond Fund; to authorize the City Auditor to transfer funds and appropriation within the Street and Highway Improvement Non-Bond Fund; to waive the competitive bidding requirements of Columbus City Code; to authorize the Director of Public Service to enter into contract with G & G Cement Contractors and Petruzzi Concrete Design; to provide for the payment of construction administration and inspection services in connection with the Sidewalk Rescue Program; to authorize the expenditure of up to \$73,000.00 from the Street and Highway Improvement Non-Bond Fund; and to declare an emergency. (\$73,000.00)

WHEREAS, the City of Columbus, Department of Public Service is engaged in the Sidewalk Rescue Program; and

WHEREAS, this project consists of the removal and installation of various types of sidewalk, driveway approach, and drive approach curb at various private residence locations within the corporation limits of the City of Columbus on an as needed basis; and

WHEREAS, it is necessary to authorize an amendment to the 2017 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, G & G Cement Contractors and Petruzzi Concrete Design will each be awarded a contract for the Sidewalk Rescue Program; and.

WHEREAS, it is necessary to provide for payment of the contract and construction administration and inspection services; and

WHEREAS, this ordinance authorizes the Director of Public Service to waive competitive bidding requirements of Chapter 329 of City Code to enter into a construction contract with G & G Cement Contractors and Petruzzi Concrete Design, in an amount up to \$66,364.00, for the construction of public infrastructure improvements in connection with the Sidewalk Rescue 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 of Public Service to enter into contract with G & G Cement Contractors and Petruzzi Concrete Design in connection with the Sidewalk Rescue Program so that repairs can be made to potential pedestrian safety hazards as soon as possible, 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 2017 Capital Improvements Budget authorized by ordinance 1124-2017 be amended as follows to establish sufficient authority for this project:

Fund / Project / Project Name / Current / Change / Amended

7766 / P766999-100000 / Unallocated Balance Fund 766 (Street & Highway Imp Carryover) / \$1,370,398.00 / (\$73,000.00) / \$1,293,398.00

Fund / Project / Project Name / Current / Change / Amended

7766 / P539001-100000 / Pedestrian Safety Improvements - Sidewalk NOV (Street & Highway Imp Carryover) / \$0.00 / \$73,000.00 / \$73,000.00

SECTION 2. 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, 2017, the sum of \$73,000.00 is appropriated in Fund 7766 Street and Highway Improvement Non-Bond Fund in Object Class 06 Capital Outlay per the account codes in the attachment to this ordinance.

SECTION 3. That the transfer of \$73,000.00, or so much thereof as may be needed, is hereby authorized between projects within Fund 7766 Street and Highway Improvement Non-Bond Fund per the account codes in the attachment to this ordinance.

SECTION 4. That the Director of Public Service be and is hereby authorized to enter into contract with G & G Cement, 2849 Switzer Avenue, Columbus, Ohio 43219, and Petruzzi Concrete Design, P.O. Box 20293, Columbus, Ohio 43220, for construction related to the Sidewalk Rescue Program in the amount of \$66,364.00, or so much thereof as may be needed, in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$6,636.00.

SECTION 5. That the expenditure of \$73,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7766 Street and Highway Improvements Non-Bond Fund in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

SECTION 6. That, in accordance with Section 329.15 of the Columbus City Code, City Council has determined that it is in the best interest of the City of Columbus to waive the competitive bidding provisions of City Code.

SECTION 7. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 8. 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 9. 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 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.