



## Legislation Text

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**File #: 0373-2013, Version: 1**

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### **1. BACKGROUND**

This legislation authorizes the Director of Public Service to modify and increase the construction contract with G&G Cement Contractors LLC for the Pedestrian Safety Improvements - Sidewalk Program project in an amount up to \$159,979.60 and to provide for additional construction administration and inspection services in the amount of \$40,020.40.

Work performed to date as part of this contract consists of on-call tree root related sidewalk and curb ramp construction. Work also consists of crosswalk improvements and installation of medians, pavement markings and basic traffic signal equipment.

Work to be performed as part of this contract modification includes but is not limited to replacement of existing sidewalks damaged by city street trees. The proposed contract modification will increase the funding for replacement of existing sidewalks damaged by city street trees.

The construction of these sidewalks alleviates safety issues to sidewalks damaged by tree roots. This modification was not planned previously, but is proceeding due to the availability of additional funds.

The amount of this modification was calculated by using the contractor's unit prices.

Original contract amount: \$203,000.00 (Ordinance 1169-2012, City contract number EL013007)

Modification #1: \$102,700.73 (Ordinance 1988-2012, City contract number EL013590)

Modification #2: \$159,979.60 (Ordinance 2658-2012, no contract number as the funds from Ordinance 2658-2012 and this ordinance will be included in modification #2 for a total amount of \$319,959.20)

Total contract amount including this Modification: \$625,659.93

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against G&G Cement Contractors LLC.

### **2. CONTRACT COMPLIANCE**

The contract compliance number for G&G Cement Contractors LLC is 262560462 and expires 4/17/14.

### **3. FISCAL IMPACT**

Funds are available for this modification within the Street and Highways Improvement Fund, number 766. A C.I.B. Amendment is necessary to establish authority within the correct project.

### **4. EMERGENCY DESIGNATION**

The Department of Public Service is requesting City Council to enact this legislation as an emergency measure in order to allow for the execution of a construction contract modification at the earliest possible time to allow for sidewalk construction to ensure the safety of the sidewalks to be constructed.

To amend the 2012 Capital Improvement Budget; to authorize the City Auditor to transfer of cash and appropriation

within the Streets and Highways Improvement Fund; to authorize the Director of Public Service to modify and increase the construction contract with G&G Cement Contractors LLC for the construction of the Pedestrian Safety Improvements - Sidewalk Program project; to authorize the expenditure of \$200,000.00 from the Street and Highway Improvement Fund; and to declare an emergency. (\$200,000.00)

**WHEREAS**, the original contract no. EL013007 was authorized by ordinance no. 1169-2012, passed by City Council June 18, 2012, executed June 23, 2012 and approved by the City Attorney on June 30, 2012; and

**WHEREAS**, ordinance 1988-2012 authorized the first modification to the Pedestrian Safety Improvements - Sidewalk Program project in the amount of \$102,700.73 for items such as construction of sidewalk on Fairwood Avenue and funding to address sidewalk damage caused by City street trees; and

**WHEREAS**, ordinance 2658-2012 authorized the second modification to the Pedestrian Safety Improvements - Sidewalk Program project in the amount of \$159,979.60 for items such as, but not limited to, the construction of sidewalks damaged by City street trees; and

**WHEREAS**, this ordinance authorizes additional funding in the amount of \$159,979.60 to address items such as, but not limited to, the construction of sidewalks damaged by City street trees; and

**WHEREAS**, the Department of Public Service has determined it to be in the City's best interest to modify the subject contract for purposes of adding additional sidewalk work to the contract; and

**WHEREAS**, it is necessary to provide additional funds in the amount of \$40,020.40 for construction administration and inspection; and

**WHEREAS**, it is necessary to amend the 2012 Capital Improvement Budget to establish authority within the correct project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, in that the contract should be modified and increased so that the project may be proceed and construction can continue to ensure the safety of the public utilizing the affected sidewalks, 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 2012 C.I.B. authorized by ordinance 0368-2012 be amended as follows to provide sufficient authority for the appropriate projects authorized within this ordinance:

Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended  
766 / 766999-100000 / Unallocated Balance (Street & Highway Improvement Carryover) / \$1,355,341.00 / (\$200,000.00) / \$1,155,341.00  
766 / 590105-100005 / Pedestrian Safety Improvements - Sidewalk Program (Street & Highway Improvement Carryover) / \$200,000.00 / \$200,000.00 / \$400,000.00

**SECTION 2.** The sum of up to \$200,000.00 be and is hereby appropriated from the unappropriated balance of the Street and Highways Improvement Fund, Fund 766, 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 ending December 31, 2013 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
766 / 766999-100000 / Unallocated Balance / 06-6600 / 766999 / \$200,000.00

**SECTION 3.** That the transfer of cash and appropriation within the Street and Highway Improvement Fund, No. 766, be and is hereby authorized as follows:

Transfer from:  
Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
766 / 766999-100000 / Unallocated Balance / 06-6600 / 766999 / \$200,000.00

Transfer to:  
Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
766 / 590105-100005 / Pedestrian Safety Improvements - Sidewalk Program / 06-6600 / 761055 / \$200,000.00

**SECTION 4.** That the Director of Public Service be and is hereby authorized to modify and increase contract no. EL013007, with G&G Cement Contractors LLC, 2849 Switzer Avenue, Columbus, OH, 43219, by \$159,979.60 for additional work in accordance with the terms as shown on the modification on file in the Office of Support Services, which are hereby approved and to provide for additional construction administration and inspection services in the amount of \$40,020.40.

**SECTION 5.** That for the purpose of paying the cost of this contract modification and inspection, the sum of \$200,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Street and Highway Improvement Fund, No. 766 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
766 / 590105-100005 / Pedestrian Safety Improvements - Sidewalk Program / 06-6621 / 761055 / \$159,979.60  
766 / 590105-100005 / Pedestrian Safety Improvements - Sidewalk Program / 06-6687 / 761055 / \$40,020.40

**SECTION 6.** 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 7.** 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 8.** 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 9.** 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.