



## Legislation Text

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**File #:** 1195-2012, **Version:** 1

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### **1. BACKGROUND**

The Division of Planning and Operations is engaged in the Alley Rehabilitation - Miscellaneous project for the rehabilitation of City Alleys. As part of this project, Division of Planning and Operations Crews will perform work such as clearing, surface grading and leveling, drainage improvements and selective repaving.

Funding for this project is necessary for three purposes. These funding needs are described as follows:

The costs incurred for City Staff and equipment associated with these alley improvements will be tracked. The Street Construction Maintenance and Repair Fund will then be reimbursed from Capital Funds for these expenses. It is necessary to establish funding in the amount of \$946,761.07 for this purpose.

The rehabilitation of these alleys requires several commodities. These commodities include asphalt emulsion, asphalt concrete, and limestone and gravel aggregates.

The Purchasing Office has solicited formal competitive bids for the purchase of these commodities and established universal term contracts (UTC).

This legislation authorizes the expenditure of \$521,425.31 for the purchase of Asphalt Emulsion per the terms and conditions of the established UTC (FL004621, SA003525), Asphalt Concrete per terms and conditions of an established UTC (FL004881 SA003822), and Limestone and Gravel Aggregates per the terms and conditions of an established UTC FL004885 (SA003836).

Also, as part of this project various construction debris will be collected and will require disposal. Debris gathered as a result of this project is dumped at the landfill operated by the Solid Waste Authority of Central Ohio.

This legislation authorizes the expenditure of up to \$31,813.62 for tipping fees at SWACO's landfill.

This legislation also waives the formal competitive bidding requirements of the Columbus City Code. Even though refuse disposal services are available in the market place other than those offered by SWACO, competitive bidding must be waived because of the City's contractual relationship with SWACO.

### **2. CONTRACT COMPLIANCE:**

Asphalt Materials Inc. contract compliance number is 351002095 and expires 3/20/14.

Shelly Materials, Inc. contract compliance number is 311574851 and expires 12/14/2013.

Kokosing Materials' contract compliance number is 310980603 and it expires 11/18/2013.

The Solid Waste Authority of Central Ohio's contract compliance number is 311338559 and SWACO is a Non-profit organization.

### **3. FISCAL IMPACT**

Funds for this alley work are budgeted within the 2012 Capital Improvement Budget. Funding for this project is available within the Streets and Highways G.O. Bonds Fund. Bonds have yet to be sold for this project, therefore available cash within the fund will be utilized and paid back once bonds are sold.

### **4. EMERGENCY DESIGNATION**

Emergency legislation is requested to have funding available for this project so reimbursement, tipping fees and materials purchases can be made at the earliest possible time to maintain proper accounting practices.

To amend the 2012 C.I.B; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; to authorize the Director of Finance and Management to establish purchase orders for the purchase of Asphalt Emulsion, Asphalt Concrete and Limestone and Gravel Aggregates per the terms of conditions of current UTCs to be used for the Alley Rehabilitation - Miscellaneous Project for the Division of Planning and Operations; to authorize the Director of Public Service to reimburse the Street Construction Maintenance and Repair Fund for labor and equipment costs and pay tipping fees; to waive the formal competitive bidding requirements of the Columbus City Code for tipping at the SWACO landfill; to authorize the expenditure of \$1,500,000.00 from the Streets and Highways G.O. Bonds Fund for purchase of these materials, tipping fees and reimbursement to the Street Construction Maintenance and Repair Fund; and to declare an emergency. (\$1,500,000.00)

**WHEREAS**, the Division of Planning and Operations is engaged in a project to rehabilitate City Alleys; and

**WHEREAS**, it is necessary to purchase Asphalt Emulsion, Asphalt Concrete, and Limestone and Gravel Aggregates to be used for this project; and

**WHEREAS**, it is necessary to establish funding to pay tipping fees for waste recovered while constructing this project; and

**WHEREAS**, the competitive bidding provisions of Columbus City Code Section 329.06 must be waived to authorize the expenditure for tipping fees at the SWACO landfill; and

**WHEREAS**, costs incurred for City Staff and equipment associated with these alley improvements are able to be capitalized; and

**WHEREAS**, this ordinance authorizes the Director of Public Service to reimburse the Street Construction Maintenance and Repair Fund for these staff and equipment expenses and to pay tipping fees; and

**WHEREAS**, this ordinance authorizes the Director of Finance and Management to establish purchase orders per the terms and conditions of existing UTCs for Asphalt Emulsion, Limestone, and Asphalt concrete; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of Planning and Operations, in that it is immediately necessary to establish funding for the purchase of these materials to make them available for this project this construction season, 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 Capital Improvement Budget, authorized by ordinance 0368-2012 be amended as follows to provide sufficient authority for this project

Fund / Project / Project Name / Current C.I.B. / Amendment / C.I.B. as amended

704 / 440005-100000 / UIRF (Carryover) / \$4,430,735.00 / (\$1,387,345.00) / \$3,043,390.00

704 / 530104-100004 / Alley Rehabilitation - Miscellaneous (Carryover) / \$112,655.00 / \$1,387,345.00 / \$1,500,000.00

**SECTION 2.** That the transfer of cash and appropriation within the Streets and Highway G.O. Bonds Fund be authorized as follows:

Transfer From:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 440005-100000 / UIRF / 06-6600 / 590050 / \$1,387,345.70

Transfer To:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 530104-100004 / Alley Rehabilitation - Miscellaneous / 06-6621 / 740404 / \$1,387,345.70

**SECTION 3.** That the Director of Finance and Management be and hereby is authorized to establish purchase orders totaling \$521,425.31 per the terms and conditions of current UTCs for Asphalt Emulsion, Asphalt concrete, and Limestone for the Alley Rehabilitation - Miscellaneous project for the Division of Planning and Operations.

**1. Asphalt Emulsions**

**\$331,760.31**

Asphalt Materials  
940 North Wynn Road  
Oregon, OH 43616  
FL004621 (SA003525)

**2. Various Asphalt Concretes**

**\$49,665.00**

Kokosing Materials  
P.O. Box 334  
Fredricktown, OH 43019  
FL004881 (SA003822)

**3. Limestone and Gravel Aggregates**

**\$140,000.00**

Shelly Materials, Inc.  
1771 Harmon Avenue  
Columbus, OH 43223  
FL004885 (SA003836)

**Total UTC Expenditure: \$521,425.31**

**SECTION 4.** That the Director of Public Service is authorized to reimburse the Street Construction Maintenance and Repair Fund for staff and equipment expenses up to \$946,761.07 incurred in the rehabilitation of the Alleys in this project.

**SECTION 5.** That in accordance with Section 327.27 of the Columbus City Code, City Council has determined that it is in the best interest of the City of Columbus that Section 329.06 relating to formal competitive bidding requirements be waived for tipping of waste from this project and hereby waives said section for tipping fees.

**SECTION 6.** That the Director of Public Service be and hereby is authorized to establish a purchase order with the Solid Waste Authority of Central Ohio, Department 1833, Columbus, Ohio 43271, in an amount not to exceed \$31,813.62, for payment of refuse tipping fees.

**SECTION 7.** That the expenditure of \$1,500,000.00 be and hereby is authorized as follows from the Streets and Highways G.O. Bonds Fund, Fund 704, Dept.-Div. 59-11, Division of Planning and Operations, to pay the cost thereof.  
Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount  
704 / 530104-100004 / Alley Rehabilitation - Miscellaneous / 06-6621 / 740404 / \$1,500,000.00

**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 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.

