



## Legislation Text

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**File #:** 0326-2017, **Version:** 1

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**Background:** This ordinance authorizes the Director of the Recreation and Parks Department to enter into contract with Messer Construction Co. for the correction of a water pooling issue near the fountain within Bicentennial Park.

The fountain was originally installed in 2010 as part of the Scioto Mile project that renovated and developed parkland along the Scioto River in downtown Columbus. Water pooling issues have been an ongoing problem along the west plaza area adjacent to the fountain. It was determined this was due to wind drift causing water to flow away from the fountain drains. These repairs are necessary in order to address the water pooling issues, preventing premature deterioration of hard surfaces and the oversaturation of adjacent lawn. It will also improve the efficiency of water usage at the fountain. The work will include excavation, backfill, concrete removal/replacement, drainage, and piping. The cost of this project is \$37,711.00 with a contingency of \$2,289.00 for a total of \$40,000.00.

The Department of Recreation and Parks is requesting the waiver of formal bidding provisions of the Columbus City Codes. While investigating repairs needed to the fountain itself in conjunction with a separate fountain repair project currently underway and being administered by the Columbus Downtown Development Corporation, Messer Construction Co. discovered the cause of the water pooling issue. Since they are performing the repairs to the fountain itself, they will be able to complete the water pooling correction while already on site for the fountain repair project. Therefore, it is in the City's best interest to allow Messer to complete the correction of the water pooling issue as it presents the most efficient and cost effective option for the repairs.

**Principal Parties:**

Messer Construction Company  
5158 Fishwick Drive, Cincinnati, OH 45216  
William Rutz; 513-482-5315  
CCN: 31-0740877  
September 1, 2018

**Emergency Justification:** An emergency is being requested so that work may be completed while the contractor is going to be on site for another project directly adjacent to the area in need of repair. Allowing the two projects to happen at the same time will maximize efficiencies.

**Benefits to the Public:** Bicentennial Park serves as the centerpiece for some of the City's most vital downtown programming, including the Columbus Arts Festival, Rhythm on the River, the FountainSide series, and Grand Illumination. It is also the setting for notable collaborations with partners such as the Columbus Jazz Orchestra/Jazz Arts Group and BalletMet Columbus.

**Area(s) Affected:** Downtown (18)

**Master Plan Relation:** This agreement furthers the mission of the Recreation and Parks Master Plan by continuing the existing operational standards of a Special Use Park. It will also improve the efficiency of water usage at the fountain.

**Fiscal Impact:** \$40,000.00 is required and budgeted in the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of this contract.

To authorize the Director of Recreation and Parks to enter into contract with Messer Construction Co. for the correction of a water pooling issue near the fountain within Bicentennial Park; to authorize the expenditure of \$40,000.00 from the Recreation and Parks Voted Bond Fund; to waive the competitive bidding provisions of the Columbus City Code; and to declare an emergency. (\$40,000.00)

**WHEREAS**, it is necessary to authorize and direct the Director of Recreation and Parks to enter into contract with Messer Construction Co. for the correction of a water pooling issue near the fountain within Bicentennial Park;

**WHEREAS**, it is in the best interest of the City to waive the formal bidding provisions of the Columbus City Code Chapter 329 to enter into said contract; and

**WHEREAS**, it is necessary to authorize the expenditure of \$40,000.00 from the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Recreation and Parks in that it is immediately necessary to contract with Messer Construction Co. for the correction of a water pooling issue near the fountain within Bicentennial Park so that work may be completed while the contractor is on site for another project directly adjacent to the area in need of repair thus allowing the two projects to happen at the same time will maximize efficiencies; **NOW, THEREFORE**

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

**SECTION 1.** That the Director of Recreation and Parks is hereby authorized to enter into contract with Messer Construction Co. for the correction of a water pooling issue near the fountain within Bicentennial Park.

**SECTION 2.** That this Council finds it in the best interest of the City of Columbus to waive the competitive bidding provisions of Columbus City Code Chapter 329.

**SECTION 3.** 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 4.** 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 5.** 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 6.** For the purpose stated in Section 1, the expenditure of \$40,000.00 or so much thereof as may be necessary to pay the cost thereof, is hereby authorized from the Recreation and Parks Voted Bond Fund 7702 in object class 06 Capital Outlay per the accounting codes in the attachment.

**SECTION 7.** 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 10 days after passage if the Mayor neither approves nor vetoes the same.