



## Legislation Text

**File #:** 1724-2012, **Version:** 1

**BACKGROUND:** This legislation authorizes the Finance and Management Director to enter into contract on behalf of the Office of Construction Management with Daimler Group for the construction of the John R. Maloney Health and Wellness Center to be located at 1905 Parsons Avenue.

Under this project a 21,000 square foot single story building will be constructed. The building occupants and services provided will be Columbus Neighborhood Health Center, Inc. for (Family Practice, OB/GYN and Internal Medicine); The Ohio State University Medical Center for (Allied Health for Physical, Occupational, Respiratory Therapy, Clinical Dietetics services; a Moms 2 Be program; Specialty Physicians; and Behavioral Health Care); Columbus Public Health (WIC Program); and North Community Counseling Centers (Behavior Health care).

This project will be a LEED (Leadership in Energy and Environmental Design) Silver Certified building, in compliance with the Mayor's Get Green Columbus initiative. LEED is administered by the United States Green Building Council, and is the nationally accepted benchmark for the design, construction, and operation of high performance green buildings. LEED components in this project will include high efficient lighting, energy efficient windows that also allow more natural light into the building, energy efficient HVAC systems, the use of recycled buildings materials and LEED certified insulation for energy efficiency.

Formal bids were solicited and eight companies submitted bids on June 27, 2012 as follows (0 FBE, 0 MBE):

Daimler Group, Inc.	\$7,583,182.00
Robertson Construction Service, Inc.	\$7,593,100.00
RW Setterlin Building Company	\$7,838,700.00
LW Associates	\$7,950,031.00
Gutknecht Construction Company	\$8,122,600.00
Charter Hill Construction Company	\$8,180,050.00
Elford, Inc.	\$8,275,999.00
Thomas & Marker Construction Company	\$8,554,100.00

When bids were received, Daimler did not specify a price for a specific alternate (#3). However, when given the opportunity to clarify its bid, Daimler indicated that its total price was correct and that all base and all specified alternates (#1 through #6) would be performed for this total price. With this clarification, Finance and Management is satisfied that their bid is the overall lowest, most responsive and responsible bid and recommends Daimler Group, Inc. for award. This ordinance waives the competitive bidding process of the Columbus due to the ambiguity in the bid specifications as to whether a failure to bid on all alternates would render a bid nonresponsive.

**Emergency action** is requested so that work may begin as quickly as possible to improve health services on the south side of the City.

Daimler Group, Inc. Contract Compliance No. 31-1058348, expiration date July 9, 2014.

**Fiscal Impact:** The cost of this contract is \$7,583,182.00. The current unencumbered balance in the Safety Voted Bond Fund is \$7,535,000.00. Funds are contingent on the July 2012 Bond Sale. An additional \$48,182.00 will be transferred between projects within the Gov'l SuperB.A.B.'s (Build America Bonds) Fund .

To authorize the Director of Finance and Management on behalf of the Office of Construction Management to enter into a contract with Daimler Group, Inc. for the construction of the John R. Maloney Health and Wellness Center, to authorize the expenditure of \$7,583,182.00 from the Safety Voted Bond Fund and the Gov'l SuperB.A.B.'s (Build America Bonds) Fund; to waive the competitive bidding provisions of the Columbus City Codes, 1959; and to declare an emergency. (\$7,583,182.00)

**WHEREAS**, the City of Columbus desires to construct the John R. Maloney Health and Wellness Center to be located at 1905 Parsons Avenue to better meet the current and future needs of the residents of Columbus; and

**WHEREAS**, formal bids were solicited and eight companies responded; and

**WHEREAS**, this ordinance waives the competitive bidding process of the Columbus City Codes due to the ambiguity in the bid specifications as to whether a failure to bid on all alternates would render a bid nonresponsive; and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to enter into a contract with the Daimler Group, Inc., for the construction of the John R. Maloney Health and Wellness Center to be located at 1905 Parsons Avenue, so that work may begin as quickly as possible to improve health services on the south side of the City, now, therefore:

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

**SECTION 1.** That the 2012 Capital Improvement Budget be amended as follows:

**Project Name| Project No.|Fund |Current Authority|Revised Authority|Difference**

Roof Renovation Program (Unvoted Carryover) 570030-100002   Fund 707	\$51,250 \$3,068 (\$48,182)
Southside Health Project (Unvoted Carryover) 570030-100110   Fund 707	\$0 \$48,182 \$48,182
Southside Health Project (Voted 2008) 570030-100002  Fund 706	\$7,550,000 \$0 (\$7,550,000)
Southside Health Project (Voted 2008) 570030-100110   Fund 701	\$0 \$7,550,000 \$7,550,000

**SECTION 2.** That the City Auditor is hereby authorized to transfer funds within the Gov'l SuperB.A.B.'s (Build America Bonds) Fund as follows:

**FROM:**

Dept./Div.: 45-27|Fund: 707|Project Number: 570030-100002|Project Name - Roof Renovation Program|OCA: 773002|Amount: \$48,182.00

**TO:**

Dept./Div.: 45-27| Fund: 707 |Project Number: 570030-100110|Project Name: Southside Health Project|OCA: 707110|Amount: \$48,182.00

**SECTION 3.** That the Finance and Management Director is hereby authorized to enter into a contract on behalf of the Office of Construction Management with Daimler Group, Inc. for the construction of the John R. Maloney Health and Wellness Center.

**SECTION 4.** That the expenditure of \$7,583,182.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 5, be and is hereby authorized and approved as follows:

Division: 45-50  
Fund: 701  
Project: 570030-100110  
OCA Code: 730110  
Object Level: 06  
Object Level 3: 6620  
Amount: \$7,535,000.00  
Division: 45-27  
Fund: 707  
Project: 570030-100110  
OCA Code: 707110

Object Level: 06  
Object Level 3: 6620  
Amount: \$48,182.00

**SECTION 5.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 6.** 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 7.** That City Council finds it in the best interest of the City of Columbus to waive requirements of competitive bidding for the construction of the John R. Maloney Health and Wellness Center, and does hereby waive the provisions of the Columbus City codes.

**SECTION 8.** 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.