



Legislation Text

File #: 1043-2013, **Version:** 1

1. BACKGROUND:

This legislation authorizes the Director of Public Service to enter into a contract with The Shelly Company for the construction of the Resurfacing - Urban Paving - East Broad/Whitehall Corp. Line - Licking County Line (FRA-SR16-7.04, PID79319) project and to provide funding for construction administration and inspection services.

The Resurfacing - Urban Paving - East Broad/Whitehall Corp. Line - Licking County Line (FRA-SR16-7.04, PID79319) project consists of repairing and resurfacing 5.37 miles of State Route 16 (Broad Street) from the City of Whitehall Corporation limit to the Franklin/Licking County border.

The estimated Notice to Proceed date is May 29, 2013. The project was let by the Office of Support Services through Vendor Services and Bid Express. Three bids were received on March 28, 2013, (three majority) and tabulated on March 29, 2013, as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
The Shelly Company	\$3,237,813.41	Columbus, OH	Majority
Kokosing Construction Co.	\$3,412,257.30	Columbus, OH	Majority
Shelly and Sands	\$3,698,693.03	Columbus, OH	Majority

Award is to be made to The Shelly Company as the lowest, responsive, responsible and best bidder. The contract amount will be \$3,237,813.41. The amount for construction administration and inspection services will be \$323,781.34. The total legislated amount is \$3,561,594.75.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against The Shelly Company.

2. CONTRACT COMPLIANCE

The contract compliance number for The Shelly Company is 314357274 and expires 3/13/15.

3. FISCAL IMPACT

There are multiple sources of funding for this project. Funding from the Ohio Department of Transportation in the amount of \$2,727,355.17 will be utilized for the construction of this project. The Department of Public Service funding, in the amount of \$834,239.58, is available within the Streets and Highways G.O. Bonds Fund. The Department of Public Service Funding will be transferred to the Federal/State Highway Engineering Fund, and the \$3,561,594.75 for construction of the project will be appropriated and expended within the Federal/State Highway Engineering Fund.

4. EMERGENCY DESIGNATION.

Emergency action is requested in order for the 2013 Resurfacing Program to begin as early as possible and perform necessary reconstruction to City streets in need of rehabilitation.

To authorize the Director of Public Service to enter into contract with The Shelly Company and to provide for the payment of construction administration and inspection services in connection with the Resurfacing - Urban Paving - East Broad/Whitehall Corp. Line - Licking County Line project; to appropriate funds within the Local Transportation Improvement Fund; to authorize the City Auditor to transfer \$834,239.58 between projects within the Streets and

Highways Bond Fund; to authorize the City Auditor to transfer \$834,239.58 from the Street and Highways Bond Fund to the Federal/State Highway Engineering Fund; to authorize the City Auditor to transfer \$48,259.00 from the General Government Grants Fund to the Federal/State Highway Engineering Fund; and to authorize the appropriation and expenditure of \$3,561,594.75 within the Federal/State Highway Engineering Fund for the Division of Design and Construction; and to declare an emergency. (\$3,561,594.75)

WHEREAS, the City of Columbus, Department of Public Service is engaged in the Resurfacing - Urban Paving - East Broad/Whitehall Corp. Line - Licking County Line (FRA-SR16-7.04, PID79319); and

WHEREAS, this project consists of repairing and resurfacing 5.37 miles of State Route 16 (Broad Street) from the City of Whitehall Corporation limit to the Franklin/Licking County border; and

WHEREAS, the Department of Public Service has received an Ohio Department of Transportation grant for this project; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Design and Construction in that this project should proceed immediately for the rehabilitation of this road to ensure the safety of the travelling public, 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 Director of Public Service be and is hereby authorized to enter into contract with The Shelly Company, 80 Park Drive, Thornville, Ohio 43076 (mailing address) for the construction of the Resurfacing - Urban Paving - East Broad/Whitehall Corp. Line - Licking County Line (FRA-SR16-7.04, PID79319) project in the amount of \$3,237,813.41 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 \$323,781.34.

SECTION 2. That the 2013 Capital Improvement Budget authorized by ordinance 0645-2013 be amended as follows to establish sufficient authority for this project:

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

704 / 530282-100052 / Resurfacing - Urban Paving - East Broad/Whitehall Corp. Line - Licking County Line (Voted 2008) / \$1,500,000 / (\$834,240) / \$665,760

704 / 530303-100000 / Columbus Housing Initiative (Voted 2008) / \$800,000 / \$834,240 / \$1,634,240

704 / 530282-100052 / Resurfacing - Urban Paving - East Broad/Whitehall Corp. Line - Licking County Line (Voted Carryover) / \$0 / \$834,240 / \$834,240

704 / 530303-100000 / Columbus Housing Initiative (Voted Carryover) / \$1,075,871 / (\$834,240) / \$241,631

SECTION 3. That the City Auditor be and is hereby authorized to transfer cash and appropriation within the Streets and Highways G.O. Bonds Fund, No. 704, as follows:

Transfer from:

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

704 / 530303-100000 / Columbus Housing Initiative / 06-6600 / 591145 / \$834,239.58

Transfer to:

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

704 / 530282-100052 / Resurfacing - Urban Paving - East Broad/Whitehall Corp. Line - Licking County Line / 10-5501 / 748252 / \$834,239.58

SECTION 4. The sum of \$48,259.00 be and is hereby appropriated from the unappropriated balance of the General Government Grant Fund, No. 220, 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 to the Division of Design and Construction, Dept-Div 59-12, Grant 591302 and OCA 591302 as follows:

Dept-Div / Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

59-12 / 220 / 591302-100000 / E Broad/Licking Co 79319-State / 10-5501 / 591302 / \$48,259.00

SECTION 5. That the City Auditor is hereby authorized to transfer of cash between the General Government Grant Fund, No. 220, the Streets and Highways Bond Fund and the Federal State Highway Engineering Fund, No. 765 as follows:

Transfer from:

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

59-12 / 704 / 530282-100052 / Resurfacing - Urban Paving - East Broad/Whitehall Corp. Line - Licking County Line / 10-5501 / 748252 / \$834,239.58

59-12 / 220 / 591302-100000 / E Broad/Licking Co 79319-State / 10-5501 / 591302 / \$48,259.00

Transfer to:

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

59-12 / 765 / 591301-100000 / E Broad/Licking Co 79319-Fed / 80-0886 / 591301 / \$882,498.58

SECTION 6. That from the unappropriated monies in the Federal-State Highway Engineering Fund, No. 765, and from any and all sources estimated to come into said fund and unappropriated for any other purpose during the period ending December 31, 2013, the sum of \$3,561,594.75 is appropriated for the Department of Public Service, Division of Design and Construction, as follows:

Dept-Div / Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

59-12 / 765 / 591301-100000 / E Broad/Licking Co 79319-Fed / 06-6600 / 591301 / \$3,561,594.75

SECTION 7. That for the purpose of paying the cost of the contract and inspection, the sum of \$3,561,594.75 or so much thereof as may be needed, is hereby authorized to be expended from the Federal-State Highway Engineering Fund, No. 765, for the Division of Design and Construction, Dept.-Div. 59-12, as follows:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount (Contract)

59-12 / 765 / 591301-100000 / E Broad/Licking Co 79319-Fed / 06-6631 / 591301 / \$3,237,813.41

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount (Inspection)

59-12 / 765 / 591301-100000 / E Broad/Licking Co 79319-Fed / 06-6687 / 591301 / \$323,781.34

SECTION 8. 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 9. 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 10. 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 11. 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.