



## Legislation Text

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**File #:** 1096-2012, **Version:** 1

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### **1. BACKGROUND:**

This legislation authorizes the Director of Public Service to execute a construction contract modification with The Shelly Company for the Resurfacing - Resurfacing 2011 Zone 3 project.

Work performed as part of this project consisted of rehabilitating and resurfacing nineteen (19) city streets and constructing 375 ADA curb ramps along those streets, milling the existing pavement, overlaying with new asphalt concrete, minor curb replacement, replacing curb and sidewalk associated with installation of ADA wheelchair ramps and full depth pavement rehabilitation as necessary.

This contract modification will allow the Department of Public Service to increase this existing contract, for purposes of adding funds for the resurfacing of additional streets. Cost of this modification was determined using unit prices from the original contract.

Work to be included as part of this modification consists of the resurfacing of the following streets:

Caraway Place from Baytree Drive to North Term

Cardamon Place from Baytree Drive to North Term

The original contract amount authorized by ordinance 0544-2011 and executed April 18, 2011 is \$3,648,021.83 (EL011564)

The amount of this, the first, modification is \$141,807.28

The total contract amount including this modification is \$3,789,829.11

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 Shelly Company's contract compliance number is 311279704 and expires 4/15/13.

### **3. FISCAL IMPACT**

Funding for this project is available within the The Streets and Highways G.O. Bonds Fund. Funding is available due to cancellation of encumbrances from completed resurfacing projects. C.I.B. Amendments are necessary to establish authority in the correct project for this modification.

### **4. EMERGENCY DESIGNATION.**

Emergency action is requested in order provide funding for the resurfacing of the described streets in need of rehabilitation to ensure the safety of the travelling public.

To authorize the Director of Public Service to modify and increase an existing contract with The Shelly Company in connection with the Resurfacing 2011 Zone 3 contract; to amend the 2012 C.I.B; to authorize the transfer and expenditure of up to \$141,807.28 within The Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$141,807.28)

**WHEREAS**, contract no. EL011564 was authorized by ordinance no. 0544-2011, passed by City Council April 11, 2011, executed April 18, 2011 and approved by the City Attorney on April 19, 2011; 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 streets to be resurfaced under this contract; and

**WHEREAS**, this ordinance authorizes the first modification to the Resurfacing 2011 Zone 3 contract in the amount of \$141,807.28; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Design and Construction in that the funding should be authorized immediately to maintain the project schedule and perform needed rehabilitation to City Streets, 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 modify and increase contract no. EL011564 with The Shelly Company, 1771 Harmon Avenue, Columbus, Ohio, 43223 for the construction of the Resurfacing - Resurfacing 2011 Zone 3 project in the amount of up to \$141,807.28 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved.

**SECTION 2.** That the 2012 Capital Improvement Budget authorized by ordinance 0368-2012 be and is hereby amended to provide sufficient authority for this project as follows:

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

704 / 530282-100055 / Resurfacing - Resurfacing 2010 Project 4 (Carryover) / \$29,809.00 / (\$29,809.00) / \$0.00

704 / 530282-100053 / Resurfacing - Preventive Surface Treatments (Carryover) / \$228,959.00 / (\$111,999.00) / \$116,960.00

704 / 530282-100062 / Resurfacing - Resurfacing Zone 3 / \$3,759.00 / \$141,808.00 / \$145,567.00

**SECTION 3.** That the Transfer of cash and appropriation within the Streets and Highways G.O. Bonds Fund, No. 704, be authorized as follows:

**Division of Design and Construction, Dept-Div 59-12:**

Transfer from:

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

704 / 530282-100055 / Resurfacing - Resurfacing 2010 Project 4 / 06-6600 / 742855 / \$29,808.70

704 / 530282-100053 / Resurfacing - Preventive Surface Treatments / 06-6600 / 748253 / \$111,998.58

Transfer to:

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

704 / 530282-100062 / Resurfacing - Resurfacing Zone 3 / 06-6600 / 748262 / \$141,807.28

**SECTION 4.** That for the purpose of paying the cost thereof, the sum of up to \$141,807.28 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, for the Division of Design and Construction, Dept-Div. 59-12, as follows

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

704 / 530282-100062 / Resurfacing - Resurfacing Zone 3 / 06-6631 / 748262 / \$141,807.28

**SECTION 5.** 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 6.** 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.