



Legislation Text

File #: 0491-2024, Version: 1

**1. BACKGROUND**

This ordinance authorizes the Interim Director of Public Service to modify a professional services contract with HDR Engineering, Inc. to add additional funds for design of the Roadway - Multimodal Corridor - Mount Vernon Avenue - Hamilton Avenue to Taylor Avenue project.

The intent of this project is to provide the City of Columbus, Department of Public Service, the design of improvements to Mount Vernon Avenue within the King-Lincoln Bronzeville neighborhood. The planned limits along Mt. Vernon Avenue are from Hamilton Avenue to Taylor Avenue. The primary improvements consist of separated bike facilities. A two-way cycle track (also referred to as an on-road side path) is planned for most of the limits; except, where pavement width is narrower east of Phillips Street, a shared use path is planned.

Ordinance 0688-2023 authorized the Director of the Department of Public Service, on behalf of the City of Columbus, to prepare and submit a Safe Routes to School Application to the Ohio Department of Transportation; to authorize the Director of Public Service to enter into grant agreements with ODOT, accept and expend grant funds, and issue refunds if necessary after final accounting is performed.

Ordinance 0499-2023 authorized the Director of Public Service to enter into a professional services contract with HDR Engineering, Inc. for the Roadway - Multimodal Corridor - Mount Vernon Avenue - Hamilton Avenue to Taylor Avenue project. Ordinance 0058-2023 authorized the Director of Public Service to modify the contract in the amount of \$350,000.00. This ordinance authorizes the Interim Director of Public Service to modify the contract in the amount of \$250,000.00

**1.1 Amount of additional funds to be expended: \$250,000.00**

The original contract amount: Ord. 0499-2023)	\$400,000.00	(PO378949,
The total of Modification No. 1: 0058-2024)	\$350,000.00	(POTBD, Ord
The total of Modification No. 2: <u>ordinance)</u>	<u>\$250,000.00</u>	<u>(This</u>

The contract amount including all modifications: \$1,000,000.00

**1.2 Reasons additional goods/services could not be foreseen:**

This is a planned modification that is necessary to allow additional resources to complete the design process. The amount initially legislated for this project did not include the full amount that would be needed to fund this project.

**1.3 Reason other procurement processes are not used:**

HDR performed the study work for the entire corridor and the initial survey work for Phase 1 detailed design. This scope of work is a reasonable extension of their work from the study phase. There is also an accelerated design schedule due to the Safe Routes to School funding. As a result, it was decided that it is in the best interest of the City to modify the existing contract instead of bidding this part of the work.

**1.4 How cost of modification was determined:**

The cost of this modification was determined by an internal review of the work proposed and the suggested hours proposed by the consultant. The fee is based on an appropriate estimate of the hours determined to be required for the

proposed tasks.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against HDR Engineering, Inc.

## **2. CONTRACT COMPLIANCE**

The contract compliance number for HDR Engineering, Inc. is CC008851 and expires 05/19/2024.

## **3. FISCAL IMPACT**

Funding for this contract is available and appropriated within Fund 7704, the Streets and Highways Bond Fund. An amendment to the 2023 Capital Improvements Budget and a transfer of funds and appropriation are necessary to align funding for these project expenditures.

## **4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This Contract was bid with an approved City of Columbus MBE/WBE Program goal of 17%. Failure by the consultant to meet this goal subjects the consultant to the Penalties for Non-Compliance as described in the “City’s Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual” and in the “City of Columbus MBE/WBE Program Special Provision” that were part of the bid documents for this contract.

## **5. EMERGENCY DESIGNATION**

Emergency action is requested in order to complete needed improvements at the earliest possible time and meet the requirements of the start date for the ODOT Safe Routes to School funding award to avoid penalty and to ensure the safety of the traveling public.

To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds and appropriation within the Streets and Highways Bond Fund; to authorize the Interim Director of the Department of Public Service to enter into a contract modification with HDR Engineering, Inc. in connection with the Roadway - Multimodal Corridor - Mount Vernon Avenue - Hamilton Avenue to Taylor Avenue project; to authorize the expenditure of up to \$250,000.00 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$250,000.00)

**WHEREAS**, contract no. PO378949 with HDR Engineering, Inc., in the amount of \$400,000.00, was authorized by ordinance no. 0499-2023; and

**WHEREAS**, modification no. 1, POTBD, in the amount of \$350,000.00, was authorized by ordinance no. 0058-2024; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$250,000.00 and provide additional funds for the Roadway - Multimodal Corridor - Mount Vernon Avenue - Hamilton Avenue to Taylor Avenue project; and

**WHEREAS**, it is necessary to amend the 2023 Capital Improvement Budget and transfer cash and appropriation to provide funding for project expenditures; and

**WHEREAS**, it is necessary expend funds relative to the project; and

**WHEREAS**, this contract opportunity was submitted to the City’s Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding; and

**WHEREAS**, this contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 17% as assigned by the City’s Office of Diversity and Inclusion (ODI); and

**WHEREAS**, failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance;

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to enter into a contract modification with HDR Engineering, Inc. to meet the requirements of the start date for the ODOT Safe Routes to School funding award, to preserve the safety of the traveling public, for the immediate preservation of the public health, peace, property, and safety; **NOW, THEREFORE**,

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

**SECTION 1.** That the 2023 Capital Improvement Budget authorized by Ordinance 1711-2023 be amended to establish sufficient authority for this project:

**Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

7704 / P531025 - 100000 / Roadway Improvements - Multimodal Corridor Planning and Design (Voted Carryover) / \$902.00 / (\$902.00) / \$0.00

7704 / P530163 - 100000 / Smart City Challenge (Voted Carryover) / \$32.00 / (\$32.00) / \$0.00

7704 / P531008 - 100000 / Roadway - Edgar Waldo Drive and Generations Pass (Voted Carryover) / \$69,743.00 / (\$69,743.00) / \$0.00

7704 / P530161 - 100148 / Roadway Improvements - Lazelle Road Phase C (Voted Carryover) / \$1,906.00 / (\$1,906.00) / \$0.00

7704 / P530161 - 100151 / Roadway Improvements - Scioto Peninsula (Voted Carryover) / \$48,382.00 / (\$48,382.00) / \$0.00

7704 / P530161 - 100166 / Roadway Improvements - Livingston Avenue Phase C - Fifth Street to Kennedy Drive (Voted Carryover) / \$69,361.00 / (\$69,361.00) / \$0.00

7704 / P530161 - 100000 / Roadway Improvements (Voted Carryover) / \$239,786.00 / (\$59,674.00) / \$180,112.00

7704 / P531025-100002 / Roadway - Multimodal Corridor - Mount Vernon Ave - Hamilton Ave to Taylor Ave (Voted Carryover) / \$750,000.00 / \$250,000.00 / \$1,000,000.00

**SECTION 2.** That the transfer of \$31.22, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530163 - 100000 (Smart City Challenge), Object Class 06 (Capital Outlay) to Dept-Div 5913 (Traffic Management), Project P531025-100002 (Roadway - Multimodal Corridor - Mount Vernon Ave - Hamilton Ave to Taylor Ave), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$69,742.79, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P531008 - 100000 (Roadway - Edgar Waldo Drive and Generations Pass), Object Class 06 (Capital Outlay) to Dept-Div 5913 (Traffic Management), Project P531025-100002 (Roadway - Multimodal Corridor - Mount Vernon Ave - Hamilton Ave to Taylor Ave), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 4.** That the transfer of \$1,906.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530161 - 100148 (Roadway Improvements - Lazelle Road Phase C), Object Class 06 (Capital Outlay) to Dept-Div 5913 (Traffic Management), Project P531025-100002 (Roadway - Multimodal Corridor - Mount Vernon Ave - Hamilton Ave to Taylor Ave), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 5.** That the transfer of \$48,381.80, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5911 (Infrastructure Management), Project P530161 - 100151 (Roadway Improvements - Scioto Peninsula), Object Class 06 (Capital Outlay) to Dept-Div 5913 (Traffic Management), Project P531025-100002 (Roadway - Multimodal Corridor - Mount Vernon Ave - Hamilton Ave to Taylor Ave), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 6.** That the transfer of \$69,361.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5911 (Infrastructure Management), Project P530161 - 100166 (Roadway Improvements - Livingston Avenue Phase C - Fifth Street to Kennedy Drive), Object Class 06 (Capital Outlay) to Dept-Div 5913 (Traffic Management), Project P531025-100002 (Roadway - Multimodal Corridor - Mount Vernon Ave - Hamilton Ave to Taylor Ave), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 7.** That the transfer of \$59,675.44, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5911 (Infrastructure Management), Project P530161 - 100000 (Roadway Improvements), Object Class 06 (Capital Outlay) to Dept-Div 5913 (Traffic Management), Project P531025-100002 (Roadway - Multimodal Corridor - Mount Vernon Ave - Hamilton Ave to Taylor Ave), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 8.** That the Interim Director of the Department of Public Service be, and hereby is, authorized to enter into a contract modification with HDR Engineering, Inc., at 8890 Lyra Dr., Suite 100, Columbus, Ohio 43240, for the Roadway - Multimodal Corridor - Mount Vernon Ave - Hamilton Ave to Taylor Ave project in an amount up to \$250,000.00, or so much thereof as may be needed, in accordance with the plans and specifications on file in the Department of Public Service, which are hereby approved.

**SECTION 9.** That the expenditure of \$250,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5913 (Traffic Management), Project P531025-100002 (Roadway - Multimodal Corridor - Mount Vernon Ave - Hamilton Ave to Taylor Ave), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 10.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

**SECTION 11.** 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 12.** 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 13.** 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.