



## Legislation Text

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**File #: 0027-2023, Version: 1**

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### 1. BACKGROUND

This legislation authorizes the Director of Public Service to modify and increase an existing contract with Decker Construction Company for the Pedestrian Safety Improvements - TRR Sidewalk Replacement (2022) project in an amount up to \$240,724.12 and \$36,108.62 for construction administration and inspection services for a total modification amount of \$276,832.74.

Ordinance 2766-2022 authorized the Director of Public Service to enter into a contract with Decker Construction Company for the construction of the Pedestrian Safety Improvements - TRR Sidewalk Replacement (2022) project and to provide for construction administration and inspection services.

The project consists of replacing sidewalks damaged by tree roots of City trees planted within the public right-of-way. Trees will be removed only if necessary to do so. The damaged sidewalk sections will be removed and replaced, and other work as may be necessary to complete the contract in accordance with the plans and specifications. This modification will add funds to the project in order to complete the replacement of additional sidewalks on the contract. It was deemed to be more cost efficient to modify the existing contract than to bid this part of the work.

The original contract amount, no inspection:	\$650,000.00	(PO354808, Ord. 2766-2022)
The total of Modification No. 1, no inspection:	<u>\$240,724.12</u>	(This Ordinance)
The contract amount including all modifications:	\$890,724.12	

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Decker Construction Company.

### 2. CONTRACT COMPLIANCE

The contract compliance number for Decker Construction Company is CC004549 and expires 12/2/2023.

### 3. PRE-QUALIFICATION STATUS

Decker Construction Company and all proposed trades subcontractors have met Code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

### 4. FISCAL IMPACT

Funding in the amount of \$276,832.74 is available and appropriated within the Streets and Highways Bond Fund within the Department of Public Service. Amendments to the 2022 Capital Improvements Budget and a transfer of funds is necessary to align funding for these project expenditures.

### 5. EMERGENCY DESIGNATION

Emergency action is requested to prevent unnecessary delays in the completion of modification 1 for the Pedestrian Safety - TRR Sidewalk Replacement (2022 Tree Root) project to facilitate the completion of sidewalk replacements in a timely manner, to ensure the safety of the public.

To amend the 2022 Capital Improvements Budget; to authorize the transfer of funds between projects within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a contract modification with Decker Construction Company in connection with the Pedestrian Safety - TRR Sidewalk Replacement (2022 Tree Root) project; to authorize the expenditure of up to \$276,832.74 from the Streets and Highways Bond Fund; and to declare an emergency. (\$276,832.74)

**WHEREAS**, contract no. PO354808 with Decker Construction Company, in the amount of \$650,000.00, was authorized by ordinance no. 2766-2022; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$240,724.12 for the purpose of performing additional construction work in the Pedestrian Safety Improvements - TRR Sidewalk Replacement (2022) project; and

**WHEREAS**, it is necessary to pay for additional construction administration and inspection services in the amount of \$36,108.62; and

**WHEREAS**, it is necessary to provide for contract payment for that project; and

**WHEREAS**, it is necessary to amend the 2022 Capital Improvement Budget and transfer cash to align funding for project expenditures; and

**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 Decker Construction Company to complete additional sidewalk replacements, to ensure the safety of the 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 2022 Capital Improvements Budget authorized by ordinance 1896-2022 be amended to establish sufficient authority for this project:

**Fund / Project / Project Name / Current C.I.B. / Amendment Amount / C.I.B. as Amended**

7704 / P590105-100089 / Pedestrian Safety Improvements - Sidewalk NOV (Voted Carryover) / \$175,000.00 / (\$175,000.00) / \$0.00

7704 / P590105-100447 / Pedestrian Safety - Sidewalk Replacement (2018 Tree Root) (Voted Carryover) / \$21,785.00 / (\$21,785.00) / \$0.00

7704 / P590105-901781 / Pedestrian Safety Improvements - Sidewalk Replacement (2017) (Voted Carryover) / \$11,571.00 / (\$11,571.00) / \$0.00

7704 / P590105-100448 / Pedestrian Safety - Courtright Rd Sidewalks - Refugee Rd to Groves Rd (Voted Carryover) / \$260.00 / (\$260.00) / \$0.00

7704 / P590105-100121 / Pedestrian Safety Improvements - Kingsford Road Sidewalks (Briggs Rd and Eakin Rd) (Voted Carryover) / \$26,007.00 / (\$26,007.00) / \$0.00

7704 / P590105-100111 / Pedestrian Safety Improvements - Fairwood Avenue - Wayland to Watkins (Voted Carryover) / \$10,614.00 / (\$10,614.00) / \$0.00

7704 / P590105-100000 / Pedestrian Safety Improvements (Voted Carryover) / \$24,127.00 / (\$6,996.00) / \$17,131.00

7704 / P590108-100000 / Pedestrian Safety Improvements - Kinnear Road Sidewalks (Voted Carryover) / \$24,600.00 / (\$24,600.00) / \$0.00

7704 / P590105-902282 / Pedestrian Safety Improvements - TRR Sidewalk Replacement (2022) (Voted Carryover) / \$747,500.00 / \$276,833.00 / \$1,024,333.00

**SECTION 2.** That the transfer of \$24,599.16 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 P590108-100000 (Pedestrian Safety Improvements - Kinnear Road Sidewalks), Object Class 06 (Capital Outlay) to Dept-Div 5911 (Infrastructure Management), P590105-902282 (Pedestrian Safety Improvements - TRR Sidewalk Replacement (2022)), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Service be and hereby is authorized to enter into a contract modification with Decker Construction Company, 3042 McKinley Ave, Columbus, OH 43204, for the Pedestrian Safety Improvements - TRR Sidewalk Replacement (2022) project in the amount of \$240,724.12, in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to pay for necessary construction administration and inspection costs associated with the project up to a maximum of \$36,108.62.

**SECTION 4.** That the expenditure of \$276,832.74 or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5911 (Infrastructure Management), Project P590105-902282 (Pedestrian Safety Improvements - TRR Sidewalk Replacement (2022)), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** 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 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 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 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.