



## Legislation Text

File #: 0053-2024, Version: 1

### 1. BACKGROUND

This ordinance authorizes the Director of the Department of Public Service to enter into contract with Newcomer Concrete Services, Inc., for the Pedestrian Safety Improvements - Chantry Drive Sidewalks project and to provide payment for construction along with construction administration and inspection services.

This project consists of installation of sidewalk on the north side of Chantry Drive from approximately 780 feet east of Chantry Boulevard to the intersection with Brice Road. Other improvements will include curb ramps and replacing drive approaches. Stormwater detention will be achieved by installing oversized pipe and associated structures, and other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents.

The estimated Notice to Proceed date is February 8, 2024. The project was let by the Office of Support Services through Vendor Services and Bid Express. Five bids were received on December 7, 2023, (four majority) and tabulated as follows:

<u>Company Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
Newcomer Concrete Services, Inc.	\$489,776.93	Norwalk, OH	MAJ
Decker Construction Company	\$535,365.83	Columbus, OH	MAJ
Strawser Paving Company	\$552,056.27	Columbus, OH	MAJ
JLD Construction Services LLC	\$644,413.00	Columbus, OH	MBE
Trucco Construction Co., Inc.	\$673,397.26	Delaware, OH	MAJ

Award is to be made to Newcomer Concrete Services, Inc. as the lowest responsive and responsible and best bidder for their bid of \$489,776.93. The amount of construction administration and inspection services will be \$73,466.54. The total legislated amount is \$563,243.47.

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

Newcomer Concrete Services, Inc.'s certification was in good standing at the time the bid was awarded.

As part of their bid Newcomer Concrete Services, Inc. has proposed the following subcontractors to work on the project:

<u>Company Name</u>	<u>City/State</u>	<u>Majority/ODI Certification</u>
JLD Construction	Columbus, OH	MBE

### 2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for Newcomer Concrete Services, Inc. is 006605 and expires 11/28/2025.

### 3. PRE-QUALIFICATION STATUS

Newcomer Concrete Services, Inc. and all proposed subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

### 4. FISCAL IMPACT

Funding for this contract is available within Fund 7472, the Brice Road TIF Fund. It is necessary to appropriate funds in

Fund 7472 and then transfer the appropriation and cash between projects within Fund 7472 to align spending with the proper project.

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

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 15% as assigned by the City's Office of Diversity and Inclusion (ODI). Failure by the contractor to meet this goal subjects the contractor 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.

## **6. EMERGENCY DESIGNATION**

Emergency action is requested in order to complete the needed upgrades within the upcoming construction season.

To appropriate and transfer funds within the Brice Road TIF Fund; to authorize the Director of the Department of Public Service to enter into contract with Newcomer Concrete Services, Inc. for the Pedestrian Safety Improvements - Chantry Drive Sidewalks project; to authorize the expenditure of up to \$563,243.47 from the Brice Road TIF Fund for the project; and to declare an emergency. (\$563,243.47)

**WHEREAS**, the Department of Public Service is engaged in the Pedestrian Safety Improvements - Chantry Drive Sidewalks project; and

**WHEREAS**, the work for this project is on the north side of Chantry Drive from approximately 780 feet east of Chantry Boulevard to the intersection with Brice Road and consists of installation of sidewalk and curb ramps; replacing drive approaches; installing oversized pipe and associated structures for stormwater detention; and other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents; and

**WHEREAS**, Newcomer Concrete Services, Inc. will be awarded the contract for the Pedestrian Safety Improvements - Chantry Drive Sidewalks project; and

**WHEREAS**, the Department of Public Service requires funding to be available for the Pedestrian Safety Improvements - Chantry Drive Sidewalks project for construction expense along with construction administration and inspection services; and

**WHEREAS**, funds must be appropriated and transferred within the Brice Road TIF Fund; 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 15% 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; 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 contract with Newcomer Concrete Services, Inc. to complete the needed project construction within the upcoming construction season to ensure 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 transfer of \$563,243.47, or so much thereof as may be needed, is hereby authorized within Fund 7472 (Brice Road TIF Fund), from Dept-Div 4402 (Economic Development), Project P472001-100000 (Brice Road TIF), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P590105-100469 (Pedestrian Safety Improvements - Chantry Drive Sidewalk), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 2.** That from the unappropriated monies 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 ended December 31, 2024, the sum of \$563,243.47 is appropriated in Fund 7472 (Brice Road TIF Fund), Dept-Div 5912 (Design and Construction), Project P590105-100469 (Pedestrian Safety Improvements - Chantry Drive Sidewalk), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of the Department of Public Service be and is hereby authorized to enter into a construction services contract with Newcomer Concrete Services, Inc., 646 Townline Road 151, Norwalk, Ohio 44857, for the Pedestrian Safety Improvements - Chantry Drive Sidewalk project in the amount not to exceed \$489,776.93 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 \$73,466.54.

**SECTION 4.** That the expenditure of \$563,243.47, or so much thereof as may be needed, is hereby authorized in Fund 7472 (Brice Road TIF Fund), Dept-Div 5912 (Design and Construction), Project P590105-100469 (Pedestrian Safety Improvements - Chantry Drive Sidewalk), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** 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 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.