



## Legislation Text

File #: 1097-2016, Version: 1

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into contract with Newcomer Concrete, Inc. for the Pedestrian Safety Improvement - Whittier Street Sidewalks - Lockbourne Road to Fairwood Avenue project and to provide payment for construction administration and inspection services.

The project work consists of construction of new sidewalks on the north and south sides of Whittier Street between Lockbourne Road and the alley east of Fairwood Avenue. Work for this project includes curb, sidewalk, brick paver, and minor storm sewer work; and overhead electric and waterline relocation.

The estimated Notice to Proceed date is May 16, 2016. The project was let by the Office of Support Services through Vendor Services and Bid Express. Six (6) bids were received on March 29, 2016 (all majority) and bid amounts were tabulated on March 31, 2016 as follows:

<u>Company Name</u>	<u>Base Bid Amt</u>	<u>City/State</u>	<u>MAJ/MBE/FBE/ASN/PHC</u>
Newcomer Concrete, Inc.	\$1,190,389.82	Norwalk, OH	Majority
Columbus Asphalt Paving, Inc.	\$1,244,310.62	Gahanna, OH	Majority
Decker Construction Company	\$1,276,354.34	Columbus, OH	Majority
G & G Cement Contractors	\$1,330,914.56	Columbus, OH	Majority
Strawser Paving Company	\$1,456,100.31	Columbus, OH	Majority
Shelly & Sands, Inc.	\$1,769,081.89	Columbus, OH	Majority

Award is to be made to Newcomer Concrete, Inc. as the lowest, responsive, responsible and best bidder.

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

### PRE-QUALIFICATION STATUS

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

### 2. CONTRACT COMPLIANCE

Newcomer Concrete, Inc. (vendor 006605) contract compliance number is 341302197 and expires 4/15/18.

### 3. FISCAL IMPACT

Funding for this project is budgeted in the 2016 Capital Improvements Budget. A transfer of funds is necessary as a temporary funding source until the 2016 bond sale proceeds are received.

### 4. EMERGENCY DESIGNATION

Emergency action is requested to provide necessary engineering and design funding and prevent unnecessary delays in the Department of Public Service's Capital Improvement Program.

To amend the 2016 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into contract with Newcomer Concrete, Inc. for the Pedestrian Safety Improvement - Whittier Street Sidewalks - Lockbourne Road to Fairwood Avenue project; to authorize the expenditure of up to \$1,309,428.80 within the Streets and Highways General Obligations Bond Fund for the Division of Design and Construction; and to declare an emergency. (\$1,309,428.80)

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the Pedestrian Safety Improvement - Whittier Street Sidewalks - Lockbourne Road to Fairwood Avenue project; and

**WHEREAS**, this project consists of construction of new sidewalks on the north and south sides of Whittier Street between Lockbourne Road and the alley east of Fairwood Avenue. Work for this project includes curb, sidewalk, brick paver, and minor storm sewer work; and overhead electric and waterline relocation, and other such work as may be necessary to complete the contract in accordance with the plans and specifications; and

**WHEREAS**, Newcomer Concrete, Inc. will be awarded the contract for the Pedestrian Safety Improvement - Whittier Street Sidewalks - Lockbourne Road to Fairwood Avenue project; and

**WHEREAS**, it is necessary to provide for construction administration and inspection services; and

**WHEREAS**, the Department of Public Service requires funding to be available for the Pedestrian Safety Improvement - Whittier Street Sidewalks - Lockbourne Road to Fairwood Avenue project in order to complete construction prior to the start of the school year in August; and

**WHEREAS**, it is necessary to authorize an amendment to the 2016 Capital Improvement Budget and a transfer of cash within the Streets and Highway Bond Fund for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service so that it is immediately necessary to authorize the Director to enter into this contract in order to maintain the project schedule and provide the highest level of pedestrian safety possible 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 2016 Capital Improvements Budget authorized by ordinance 0960-2016 be amended as follows to provide sufficient authority for this project:

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

7704 / P440104-100011 / Miscellaneous Economic Development -- Weinland Park Phase 3A (Voted Carryover) / \$1,425,000.00 / (1,309,429.00) / \$115,571.00

7704 / P590105-100079 / Pedestrian Safety Improvement - Whittier Street Sidewalks - Lockbourne Rd to Fairwood Ave (Voted Carryover) / \$0.00 / \$1,309,429.00 / \$1,309,429.00

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

7704 / P590105-100079 / Pedestrian Safety Improvement - Whittier Street Sidewalks - Lockbourne Rd to Fairwood Ave (Voted 2013 Debt SIT Supported) / \$1,700,000 / (\$1,309,429.00) / \$390,571

7704 / P440104-100011 / Weinland Park Phase 3A (Voted 2013 Debt SIT Supported) / \$0.00 / \$1,309,429.00 / \$1,309,429.00

**SECTION 2.** That the transfer of \$1,309,428.80, or so much thereof as may be needed, is hereby authorized between projects within Fund 7704 Streets and Highway Bond Fund per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Service be and is hereby authorized to enter into contract with Newcomer Concrete, Inc. for the construction of the Pedestrian Safety Improvement - Whittier Street Sidewalks - Lockbourne Road to Fairwood Avenue contract in an amount up to \$1,190,389.82, 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 4.** That the expenditure of \$1,309,428.80, is hereby authorized in Fund 7704 Streets and Highway Bond Fund in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**SECTION 5.** 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 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.