



## Legislation Details (With Text)

**File #:** 0832-2008      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/7/2008      **In control:** Public Service & Transportation Committee

**On agenda:** 5/19/2008      **Final action:** 5/21/2008

**Title:** To authorize the appropriation and transfer of \$4,208,141.43 from the Special Income Tax Fund to the Northwest Corridor Fund; to authorize the expenditure of \$4,208,141.43 from the Northwest Corridor Fund; to authorize the Public Service Director to enter into a contract for the Transportation Division with Nickolas Savko & Sons, Inc. for construction of the Hayden Run Boulevard, Phase 1 project for the Transportation Division; and to declare an emergency. (\$4,208,141.43).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
5/21/2008	1	ACTING CITY CLERK	Attest	
5/20/2008	1	MAYOR	Signed	
5/19/2008	1	Columbus City Council	Approved	Pass
5/19/2008	1	COUNCIL PRESIDENT	Signed	
5/15/2008	1	CITY ATTORNEY	Reviewed and Approved	
5/15/2008	1	SERVICE DIRECTOR	Sent to Clerk's Office for Council	
5/14/2008	1	ODI DIRECTOR	Reviewed and Approved	
5/14/2008	1	SERVICE DIRECTOR	Reviewed and Approved	
5/13/2008	1	Auditor Reviewer	Reviewed and Approved	
5/13/2008	1	CITY AUDITOR	Reviewed and Approved	
5/13/2008	1	SERVICE DIRECTOR	Reviewed and Approved	
5/13/2008	1	EBOCO Reviewer	Reviewed and Approved	
5/12/2008	1	Finance Reviewer	Reviewed and Approved	
5/12/2008	1	Finance Reviewer	Reviewed and Approved	
5/12/2008	1	FINANCE DIRECTOR	Reviewed and Approved	
5/12/2008	1	Service Drafter	Sent for Approval	
5/9/2008	1	Service Reviewer	Reviewed and Approved	
5/9/2008	1	SERVICE DIRECTOR	Reviewed and Approved	
5/7/2008	1	Service Drafter	Sent for Approval	

**Background:** This legislation authorizes the City to enter into a contract in an amount up to \$3,734,220.43 for the Hayden Run Boulevard, Phase 1 project and to pay construction inspection costs up to \$473,921.00. This improvement will construct new roadway, medians, sidewalks, water lines, storm sewers, and street lighting. The work will be performed from a point approximately

900 feet east of the intersection of Hayden Run Road and Cosgray Road to a point approximately 2800 feet easterly through undeveloped land. The estimated Notice to Proceed date is June 30, 2008. This project has been given 360 days to complete the construction of the project.

A contingency amount of \$300,000.00 for the contract and \$20,000.00 for construction inspection has been added to the contract and inspection totals to allow for the construction of an access point to the Hayden Crossing subdivision.

Multi-use paths for pedestrians and bicyclists, amounting to approximately 5650 linear feet in length, will be provided on Hayden Run Boulevard as part of this project. About 1.1 miles of sidewalk will be added, and 32 curb ramps will be included. A significant pedestrian terminus is the shopping center at the northeast corner of Hayden Run Road and Cosgray Road.

The project was let by the Transportation Division and was advertised in the City Bulletin, Dodge Reports, and by the Builders Exchange. Five bids were received (5 majority, 0 minority) and tabulated on April 24, 2008 as follows:

Nickolas Savko & Sons, Inc.	\$3,434,220.43
George J. Igel & Co.	\$3,573,530.78
Elite Excavating Co. of Ohio, Inc.	\$3,642,416.08
Shelly & Sands, Inc.	\$3,733,333.86
Complete General Construction Co.	\$3,904,394.22

Award is to be made to Nickolas Savko & Sons, Inc., c.c. #31-0907362 (expiring 4/16/09), as the lowest, best, most responsive and most responsible bidder.

Emergency action is requested to authorize this contract so that construction may begin on or before June 30, 2008.

**Fiscal Impact:** Funding for this project will be available from the Special Income Tax Fund as a temporary funding measure until a bond/note sale is held, at which time the Special Income Tax Fund will be reimbursed for the project for the Transportation Division.

To authorize the appropriation and transfer of \$4,208,141.43 from the Special Income Tax Fund to the Northwest Corridor Fund; to authorize the expenditure of \$4,208,141.43 from the Northwest Corridor Fund; to authorize the Public Service Director to enter into a contract for the Transportation Division with Nickolas Savko & Sons, Inc. for construction of the Hayden Run Boulevard, Phase 1 project for the Transportation Division; and to declare an emergency. (\$4,208,141.43).

**WHEREAS**, bids were received on April 24, 2008, and tabulated on April 24, 2008, for the Hayden Run Boulevard, Phase 1 project and a satisfactory bid has been received; and

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

**WHEREAS**, the city will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

**WHEREAS**, this transfer should be considered a temporary funding method; and

**WHEREAS**, the aggregate principal amount of the obligations which the city will issue to finance this purchase is presently expected not to exceed \$4,208,141.43; and

**WHEREAS**, an emergency exists in the usual daily operation of the Transportation Division in that the contract should be awarded immediately so that construction may begin on or before June 30, 2008, 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 from the unappropriated monies in the Special Income Tax Fund, Fund 430, and from the monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2008, the sum of \$4,208,141.43 be and hereby is appropriated to the City Auditor, Department No. 22-01, Object Level One Code 10, Object Level Three Code 5502, OCA Code 920023.

**SECTION 2.** That the City Auditor is hereby authorized to transfer \$4,208,141.43 to the Northwest Corridor Fund, Fund 771, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

**SECTION 3.** That \$4,208,141.43 is hereby appropriated within the Northwest Corridor Fund, Fund 771, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, OCA Code 771007, Project 771007 to provide for construction and inspection of the Hayden Run Boulevard for the Transportation Division.

**SECTION 4.** That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 5.** That the City intends that this ordinance constitute an official intent for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

**SECTION 6.** That for the purpose of paying the cost of the contract and inspection the sum of \$4,208,141.43 or so much thereof as may be needed, is hereby authorized to be expended from the Northwest Corridor Fund, No. 771 for the Transportation Division, Dept./Div. 59-09, OCA Code 771007, Object Level 01-03 codes 06-6631, and project 771007.

**SECTION 7.** That the Public Service Director be and is hereby authorized to enter into a contract with Nickolas Savko & Sons, Inc., for the construction of the Hayden Run Boulevard - Phase I project in the amount of \$3,734,220.43, for the Transportation Division in accordance with the specifications and plans on file in the office of the Director of Public Service, which are hereby approved; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$473,921.00.

**SECTION 8.** 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 9.** 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.