



## Legislation Details (With Text)

**File #:** 0943-2008      **Version:** 1

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

**File created:** 5/29/2008      **In control:** Public Service & Transportation Committee

**On agenda:** 6/23/2008      **Final action:** 6/25/2008

**Title:** To authorize the transfer of \$5,075,590.00 within and from the Streets and Highways G.O. Bonds Fund and the Voted Street Lighting and Electricity Distribution Improvements Fund to the State Issue II Street Projects Fund; to appropriate \$10,422,951.00 within the State Issue II Street Projects Fund and the Fed-State Highway Engineering Fund, to authorize the expenditure of \$10,422,951.00 within the State Issue II Street Projects Fund and the Fed-State Highway Engineering Fund; to authorize the Public Service Director to enter into a contract for the Transportation Division with Shelly and Sands, Inc. for construction of the Morse Road Improvements Phase 2 (OPWC) project - Karl Road to Cleveland Avenue; and to declare an emergency. (\$10,422,951.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By                 | Action                             | Result |
|-----------|------|---------------------------|------------------------------------|--------|
| 6/25/2008 | 1    | CITY CLERK                | Attest                             |        |
| 6/24/2008 | 1    | MAYOR                     | Signed                             |        |
| 6/23/2008 | 1    | Columbus City Council     | Approved                           | Pass   |
| 6/23/2008 | 1    | COUNCIL PRESIDENT PRO-TEM | Signed                             |        |
| 6/13/2008 | 1    | ODI DIRECTOR              | Reviewed and Approved              |        |
| 6/13/2008 | 1    | Service Reviewer          | Sent for Approval                  |        |
| 6/13/2008 | 1    | CITY ATTORNEY             | Reviewed and Approved              |        |
| 6/13/2008 | 1    | Service Reviewer          | Sent to Clerk's Office for Council |        |
| 6/11/2008 | 1    | Utilities Drafter         | Sent for Approval                  |        |
| 6/11/2008 | 1    | Auditor Reviewer          | Reviewed and Approved              |        |
| 6/11/2008 | 1    | CITY AUDITOR              | Reviewed and Approved              |        |
| 6/11/2008 | 1    | Service Reviewer          | Sent for Approval                  |        |
| 6/10/2008 | 1    | FINANCE DIRECTOR          | Reviewed and Approved              |        |
| 6/9/2008  | 1    | Finance Reviewer          | Reviewed and Approved              |        |
| 6/6/2008  | 1    | SERVICE DIRECTOR          | Reviewed and Approved              |        |
| 6/6/2008  | 1    | Finance Reviewer          | Reviewed and Approved              |        |
| 6/3/2008  | 1    | Utilities Drafter         | Sent for Approval                  |        |
| 6/3/2008  | 1    | Service Drafter           | Sent for Approval                  |        |
| 6/3/2008  | 1    | Service Reviewer          | Reviewed and Approved              |        |

|           |   |                    |                       |
|-----------|---|--------------------|-----------------------|
| 6/2/2008  | 1 | Utilities Reviewer | Reviewed and Approved |
| 6/2/2008  | 1 | Utilities Drafter  | Sent for Approval     |
| 6/2/2008  | 1 | Utilities Reviewer | Sent for Approval     |
| 6/2/2008  | 1 | UTILITIES DIRECTOR | Reviewed and Approved |
| 5/30/2008 | 1 | Utilities Drafter  | Sent for Approval     |
| 5/29/2008 | 1 | Utilities Drafter  | Sent for Approval     |
| 5/29/2008 | 1 | Utilities Reviewer | Reviewed and Approved |
| 5/29/2008 | 1 | Utilities Reviewer | Reviewed and Approved |

**Background:** This legislation authorizes the City to enter into a contract in an amount up to \$9,442,506.66 for the Morse Road Improvements Phase 2 (OPWC) project - Karl Road to Cleveland Avenue and to pay construction inspection costs up to \$980,444.34. This improvement is the last project for the Morse Road - Indianola to Cleveland Avenue corridor and is a continuation of the improvements made on Morse Road between Indianola Avenue and Karl Road. This project will construct landscaped medians, street trees in new grassy tree lawns, bike lanes (2.4 miles), mast arm signals, sidewalks (2.4 miles), curb ramps (88), street and pedestrian lighting, curb and gutter, and storm sewer improvements.

These improvements will provide multi-modal transportation facilities and improve access management to reduce accidents. This project will be signed to allow u-turn locations at the following intersections: Morse Road at Northland Ridge Blvd., Morse Road at Tamarack Blvd., Morse Road at Heaton Road, Morse Road at Malin Street, and Morse Road at Northtowne Blvd. as part of the access management plan included in the Morse Road Design study which was adopted by City Council on December 11, 2000. This project serves COTA routes 34 and 95 and constructs sidewalk transition areas at the bus stops to enhance connectivity with the sidewalks. COTA will construct new bus stop shelters after this project has been completed.

The pedestrian generators that this project serves include 3 retail shopping centers, the newly developing Northland Park, and a total of approximately 75 businesses along this section of Morse Road. The estimated Notice to Proceed date is July 14, 2008. This project has been given 680 days to complete the construction of the project. The project was let by the Transportation Division and was advertised in the City Bulletin, Dodge Reports, and by the Builders Exchange, and 5 bids were received on May 20, 2008 (5 majority) and tabulated on May 21, 2008 as follows:

|                                       |                 |
|---------------------------------------|-----------------|
| Shelly and Sands, Inc.                | \$9,442,506.66  |
| Trucco Construction                   | \$9,450,469.99  |
| R. B. Jergens                         | \$9,884,810.24  |
| George J. Igel and Co                 | \$9,967,090.86  |
| Complete General Construction Company | \$10,464,757.34 |

Award is to be made to Shelly and Sands, Inc., C.C. #31-4351261 (expiring February 19, 2010), as the lowest, best, most responsive and most responsible bidder.

Emergency action is requested so this contract may be awarded immediately so that construction may begin on or around July 14, 2008.

**Fiscal Impact:** The city-funded portion of this project is \$5,075,590.00 and is budgeted within the Streets and Highways G.O. Bonds Fund and the Voted Street Lighting and Electricity Distribution Improvements Fund. Ohio Public Works Commission funding is available via a Local Transportation Improvement Program grant of up to \$3,492,361.00 and a no-interest State Capital Improvement Program loan of up to \$1,175,000.00. The maximum amount of OPWC participation is \$4,667,361.00. Additional funding is available from a federal earmark in the amount of \$680,000.00 from the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU). This project will also be funded by the Division of Power and Water in the amount of \$75,590.00 for the construction of new electrical facilities within this section of the corridor. This ordinance transfers funds from the Streets and Highways G.O. Bonds Fund and Voted Street Lighting and Electricity Distribution Improvements Fund to the State Issue II Street Projects Fund, appropriates funds within the State Issue II Street Projects Fund and the Fed-State Highway Engineering Fund, authorizes the expenditure within the State Issue II Street Projects Fund and the Fed-State Highway Engineering Fund, and authorizes the contract. It should also be noted that this project is reimbursable by the newly implemented Morse Road TIF. The Transportation Division will seek reimbursement for this project once these funds are available.

To authorize the transfer of \$5,075,590.00 within and from the Streets and Highways G.O. Bonds Fund and the Voted Street Lighting and Electricity Distribution Improvements Fund to the State Issue II Street Projects Fund; to appropriate \$10,422,951.00 within the State Issue II Street Projects Fund and the Fed-State Highway Engineering Fund, to authorize the expenditure of \$10,422,951.00 within the State Issue II Street Projects Fund and the Fed-State Highway Engineering Fund; to authorize the Public Service Director to enter into a contract for the Transportation Division with Shelly and Sands, Inc. for construction of the Morse Road Improvements Phase 2 (OPWC) project - Karl Road to Cleveland Avenue; and to declare an emergency. (\$10,422,951.00)

**WHEREAS**, bids were received on May 20, 2008, and tabulated on May 21, 2008, for the Morse Road Improvements Phase 2 (OPWC) project - Karl Road to Cleveland Avenue and a satisfactory bid has been received; and

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

**WHEREAS**, it is necessary to authorize the appropriation and transfer of funds for the project to proceed; 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 around July 14, 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.** To move appropriation from Capital Outlay OL3 6600 to Transfer Out OL3 5501 within the following:

From:

Fund / Dept-Div. / Project / Project Name / OCA / OL3 / Amount

704 / 59-09 / 530052 / Morse Road Area Investment / 644385 / 6600 / \$5,000,000.00

553 / 60-07 / 670060 / Morse Road 138 KV Line / 675207 / 6600 / \$75,590.00

To:

Fund / Dept-Div. / Project / Project Name / OCA / OL3 / Amount

704 / 59-09 / 530052 / Morse Road Area Investment / 644385 / 5501 / \$5,000,000.00

553 / 60-07 / 670060 / Morse Road 138 KV Line / 675207 / 5501 / \$75,590.00

**SECTION 2.** That the interfund transfer of monies be authorized as follows:

From:

Fund / Dept-Div. / Project / Project Name / OCA / OL3 / Amount

704 / 59-09 / 530052 / Morse Road Area Investment / 644385 / 5501 / \$5,000,000.00

553 / 60-07 / 670060 / Morse Road 138 KV Line / 675207 / 5501 / \$75,590.00

To:

Fund / Grant# / Project or Grant Name/ OCA Code/OL3/Amount

764 / 597009 / Morse Road Phase II / 597009 / 6600 / \$5,075,590.00

**SECTION 3.** That from the unappropriated balance in Fund 764, the State Issue II Street Projects Fund and Fund 765, the Federal State Highway Engineering Fund, and from all monies anticipated to come into said Funds from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2008, the sum of \$10,422,951.00 be and hereby is appropriated as follows:

Fund / Fund Name / Grant# / Grant Name / OCA Code / OL3 / Amount

764 / State Issue II Street Projects Fund / 597009 / Morse Road Phase II / 597009 / 6631 / \$9,742,951.00

765 / Fed-State Highway Eng. Fund / 596009 / Morse Road Phase II / 596009 / 6631 / \$680,000.00

**SECTION 4.** That for the purpose of paying the cost of the contract and inspection the sum of \$10,422,951.00 or so much thereof as may be needed, is hereby authorized to be expended for the Transportation Division as follows:

Fund / Fund Name / Grant# / Grant Name / OCA Code / OL3 / Amount

764 / State Issue II Street Projects Fund / 597009 / Morse Road Phase II / 597009 / 6631 / \$9,742,951.00

765 / Fed-State Highway Eng. Fund / 596009 / Morse Road Phase II / 596009 / 6631 / \$680,000.00

**SECTION 5.** That the Public Service Director be and is hereby authorized to enter into a contract with Shelly and Sands, Inc for the construction of the Morse Road Improvements Phase 2 (OPWC) project - Karl Road to Cleveland Avenue in the amount of \$9,442,506.66, for the Transportation Division in accordance with the specifications and plans on file in the office of the Public Service Director, which are hereby approved; to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$980,444.34.

**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 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.