



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 9/22/2014 **In control:** Public Service & Transportation Committee

On agenda: 10/20/2014 **Final action:** 10/22/2014

Title: To authorize the City Auditor to appropriate and transfer \$999,580.85 from the Preserve TIF Fund and to appropriate and transfer \$349,871.48 from the Special Income Tax Fund to the Preserve TIF Fund; to authorize the City Auditor to transfer monies between funds within the Department of Public Service; to authorize the City Auditor to appropriate \$2,675,301.05 within the State Issue II Street Projects Fund; to authorize the Director of Public Service to enter into contract with Danbert Inc. to provide for the payment of the contract and construction administration and inspection services in connection with the Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements Phase 1 project; to authorize the appropriation and expenditure of \$2,675,301.05 from the State Issue II Street Projects Fund; and to declare an emergency. (\$2,675,301.05)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/22/2014	1	CITY CLERK	Attest	
10/21/2014	1	MAYOR	Signed	
10/20/2014	1	COUNCIL PRESIDENT	Signed	
10/20/2014	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into a contract for the construction of the Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements Phase 1 project and to provide payment for construction administration and inspection services.

This contract consists of widening Morse Road to a 3-lane section from Trellis Lane/Underwood Farms Blvd to a point approximately 1,400' west of Johnstown Road. Morse Road will be milled and overlaid within the limits of the widening. A 10' shared use path will be constructed on the north side of Morse Road over the entire length of the project. Additional improvements include signage, street lighting, street trees, storm sewers, bioretention basin, curb ramps, and traffic control devices, and other such 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 October 20, 2014. The project was let by the Office of Support Services through Vendor Services and Bid Express. Ten bids were received on September 4, 2014 (ten majority) and tabulated on September 12, 2014 as follows:

<u>Company Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Danbert Inc.	\$2,432,091.86	Plain City, Ohio	Majority
Jack Conie & Sons dba Conie Construction Company	\$2,440,453.13	Columbus, Ohio	Majority

Double Z Construction Company	\$2,480,332.86	Columbus, Ohio	Majority
S.E.T., Inc.	\$2,603,088.80	Lowellville, Ohio	Majority
Shelly and Sands, Inc.	\$2,710,856.34	Columbus, Ohio	Majority
Strawser Paving Company Inc.	\$2,732,621.55	Columbus, Ohio	Majority
George J. Igel & Co. Inc.	\$2,820,984.22	Columbus, Ohio	Majority
Complete General Construction Company	\$2,832,631.15	Columbus, Ohio	Majority
Columbus Asphalt Paving Inc.	\$2,884,088.95	Columbus, Ohio	Majority
Park Enterprise Construction Co., Inc.	\$3,113,916.38	Marion, Ohio	Majority

Award is to be made to Danbert Inc. as the lowest responsive and responsible and best bidder for their bid of \$2,432,091.86. The amount for construction administration and inspection services will be \$243,209.19. The total legislated amount is \$2,675,301.05.

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

2. CONTRACT COMPLIANCE

The contract compliance number for Danbert Inc. is 31-1029004 and expires 6/24/16.

3. FISCAL IMPACT

This project will be funded in part through contributions from the City of Gahanna and Lifestyle Communities, Preserve TIF funds, and a grant/loan from OPWC. A transfer of cash and appropriation is necessary to align funding for this project expenditure within the grant fund.

4. EMERGENCY DESIGNATION

Emergency action is requested in order to allow for this project to begin at the earliest time possible this construction season so these improvements may be available to the public for the highest provision of pedestrian safety.

To authorize the City Auditor to appropriate and transfer \$999,580.85 from the Preserve TIF Fund and to appropriate and transfer \$349,871.48 from the Special Income Tax Fund to the Preserve TIF Fund; to authorize the City Auditor to transfer monies between funds within the Department of Public Service; to authorize the City Auditor to appropriate \$2,675,301.05 within the State Issue II Street Projects Fund; to authorize the Director of Public Service to enter into contract with Danbert Inc. to provide for the payment of the contract and construction administration and inspection services in connection with the Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements Phase 1 project; to authorize the appropriation and expenditure of \$2,675,301.05 from the State Issue II Street Projects Fund; and to declare an emergency. (\$2,675,301.05)

WHEREAS, the City of Columbus Department of Public Service is engaged in the Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements Phase 1 project; and

WHEREAS, work on this project consists of widening Morse Road to a 3-lane section from Trellis Lane/Underwood Farms Blvd to a point approximately 1,400' west of Johnstown Road; and

WHEREAS, Danbert Inc. will be awarded the contract for the Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements Phase 1 project; and

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

WHEREAS, it is necessary to transfer funds from the Special Income Tax Fund to fund this project; and

WHEREAS, this transfer should be considered as a temporary funding method and will be reimbursed from Preserve TIF proceeds; and

WHEREAS, the City anticipates incurring Original Expenditures (as defined in Section 1.150-2(c) of the Treasury

Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project"); and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize this contract so the project can proceed immediately to ensure the safety of the travelling 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. The sum of \$999,580.85 be and is hereby appropriated from the unappropriated balance of the Preserve TIF Fund, Fund 438 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 ending December 31, 2014 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
438 / 438001-100000 / Preserve TIF / 10-5501 / 438100 / \$999,580.85

SECTION 2. The sum of \$349,871.48 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, 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 ending December 31, 2014 to the City Auditor, Department 22 -01, Object Level One 10, OCA code 902023, Object Level Three 5502.

SECTION 3. That the City Auditor is hereby authorized to transfer and appropriate said funds in SECTION 2 to the Preserve TIF Fund, Fund 438 as follows:

Fund / Grant / Grant Name / O.L. 01-03 Codes / CPA / OCA / Amount
438 / 438001-100000 / Preserve TIF / 10-5501 / 438100 / \$349,871.48

SECTION 4. That the City Auditor is hereby authorized to transfer \$1,349,452.33 between funds within the Department of Public Service Dept.-Div. 59-12 as follows:

From:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
438 / 438001-100000 / Preserve TIF / 10-5501 / 438100 / \$1,349,452.33

To:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount
764 / 598196-100000 / Morse Road Preserve / 80-0886 / 598196 / \$1,349,452.33

SECTION 5. That the sum of \$2,675,301.05 be and is hereby appropriated from the unappropriated balance of the State Issue II Streets Projects Fund, Fund 764 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 ending December 31, 2014 as follows:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount
764 / 598196-100000 / Morse Road Preserve / 06-6600 / 598196 / \$2,675,301.05

SECTION 6. That the Director of Public Service be and is hereby authorized to enter into contract with Danbert Inc., 8077 Memorial Drive, Plain City, Ohio 43064, for the construction of the Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements Phase 1 project in an amount up to \$2,432,091.86 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; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$243,209.19.

SECTION 7. That the monies transferred in the foregoing Sections 3 and 4 shall be paid upon order of the Director of

Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 8. That upon obtaining other funds for this project for the Department of Public Service, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3.

SECTION 9. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract(s) or contract modification(s) associated with the expenditure of the funds transferred under Section 3 above.

SECTION 10. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$349,871.48 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

SECTION 11. All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

SECTION 12. That for the purpose of paying the cost of the contract and inspection, the sum of \$2,675,301.05 or so much thereof as may be needed, is hereby authorized to be expended from the State Issue II Street Projects Fund, Fund 764, for the Division of Design and Construction, Dept.-Div. 59-12, as follows:

Contract (\$2,432,091.86)

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

764 / 598196-100000 / Morse Road Preserve / 06-6631 / 598196 / \$2,432,091.86

Inspection (\$243,209.19)

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

764 / 598196-100000 / Morse Road Preserve / 06-6687 / 598196 / \$243,209.19

SECTION 13. 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 14. 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.