



Legislation Details (With Text)

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On agenda: 10/24/2016 **Final action:** 10/26/2016

Title: To authorize the Director of Recreation and Parks to enter into contract with Environmental Remediation Contractor, LLC for the restoration of Dry Run Stream; to authorize the expenditure of \$1,325,012.00 from the Recreation and Parks Grant Fund 2283 and Voted Bond Fund 7702; to waive the competitive bidding requirements of City Code Chapter 329; and to declare an emergency. (\$1,325,012.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Dry Run Stream Restoration - DAX, 2. BidWaiverForm - Dry Run Stream

Date	Ver.	Action By	Action	Result
10/26/2016	1	CITY CLERK	Attest	
10/26/2016	1	MAYOR	Signed	
10/24/2016	1	COUNCIL PRESIDENT	Signed	
10/24/2016	1	Columbus City Council	Approved	Pass

Background: This ordinance authorizes the Director of the Recreation and Parks Department to enter into contract with Environmental Remediation Contractor, LLC for the restoration of Dry Run Stream. The project will completely daylight this segment of Dry Run, using natural channel stream restoration for 2200 lineal feet. The result will provide a fully functional floodplain, stream channel, and habitat recovery zone. The project also provides a significant educational opportunity for young people, and expanded passive recreation for the Hilltop inner-city neighborhood.

Dry Run is one of the most heavily impacted streams in Columbus. A tributary of the Scioto River, this 7 square mile watershed flows through the city's Hilltop/Westgate community. A central segment of the stream, near Hague Avenue, is completely contained within a 92" pipe. This segment runs behind two schools, a YMCA, and a church/day care facility.

CRPD applied for and received Clean Ohio Conservation Funds in 2015 to do the stream restoration. The grant funds provide \$783,054 towards the project, with a local match of \$422,646, per ordinance 2208-2015. This grant has a total of \$1,205,700.00 available for this project.

This ordinance will authorize an additional \$119,312 towards the contingency for this project. The costs for this project will be \$1,204,556.00 with a contingency of \$120,456.00 for a total of \$1,325,012.00.

The proposal was advertised through Vendor Services, in accordance with City Code Section 329, on June 9, 2016 and received by the Recreation and Parks Department on July 8, 2016. Proposals were received from the following companies:

<u>Company</u>	<u>Amount</u>
Environmental Remediation Contractors (MAJ)	\$1,204,556.00
Eramo and Son (MAJ)	\$1,323,465.00

Metropolitan Environmental Services	(MAJ)	\$1,373,005.00
Igel Company	(MAJ)	\$2,316,970.00

Bid Waiver Request: The department is requesting the waiver of the formal bidding provisions of the Columbus City Codes to enter into a contract with Environmental Remediation Contractors because the scope of this stream restoration project requires specialized planning, permitting, and construction due to the water quality improvement requirements of the Clean Ohio Conservation Fund. The selected team must meet specific biologic performance standards and have extensive experience with riparian systems. The project was openly solicited, and all responding firms were evaluated and interviewed.

Principal Parties:

Environmental Remediation Contractor, LLC
532 Rich Street, Columbus, OH 43215
Rick Warwick 614-769-6353
45-2453075
Exp Date: 4/4/18

Emergency Justification: An emergency exists in the usual daily operations of the Recreation and Parks Department in that it is immediately necessary to enter into said contract so that Recreation and Parks can fulfill the schedule requirements of the Clean Ohio Grant.

Benefits to the Public: Dry Run stream is the only significant watercourse in the Hilltop/Westgate community. The stream is also a major tributary to the Scioto River. This restored segment lies in one of the key community centers of Hilltop, with two schools, Westmoor Park, Hilltop YMCA, and Glenwood Church and Day Care Center immediately adjacent to the project. All are supportive of this project. The stream is seriously degraded due to channelization and piping. By removing this degradation, natural habitat can return, and residents and young people will have new access to over ¼ mile of restored stream.

Area(s) Affected:

Planning Area 15
Hilltop
Westgate

Master Plan Relation: This project will support the mission of the Recreation and Parks Master Plan by improving the city's water quality and health; providing outdoor education opportunities for inner city neighborhoods; improving access to trails and greenways corridors; providing safe connections for nearby neighborhoods to the regional trail network; and improving recreation access to streams, protect water quality.

Fiscal Impact: \$1,325,012.00 is budgeted and available in the Recreation and Parks Grant Fund 2283 and Voted Bond Fund 7702 to meet the financial obligations of this contract.

To authorize the Director of Recreation and Parks to enter into contract with Environmental Remediation Contractor, LLC for the restoration of Dry Run Stream; to authorize the expenditure of \$1,325,012.00 from the Recreation and Parks Grant Fund 2283 and Voted Bond Fund 7702; to waive the competitive bidding requirements of City Code Chapter 329; and to declare an emergency. (\$1,325,012.00)

WHEREAS, it is necessary to authorize the Director of Recreation and Parks to enter into contract with Environmental Remediation Contractor, LLC for the restoration of Dry Run Stream; and

WHEREAS, it is necessary to authorize the expenditure of \$1,325,012.00 from the Recreation and Parks Grant Fund 2283 and Voted Bond Fund 7702; and

WHEREAS, it is necessary to waive the competitive bidding provisions of Columbus City Code Chapter 329 in order to enter into a contract with Environmental Remediation Contractors, LLC because the scope of this stream restoration project requires specialized planning, permitting, and construction due to the water quality improvement requirements of the Clean Ohio Conservation Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to authorize the Director of Recreation and Parks to enter into said contract with Environmental Remediation Contractors, LLC in order to fulfill the schedule requirements of the Clean Ohio Grant; **NOW, THEREFORE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Recreation and Parks be and is hereby authorized to enter into contract with Environmental Remediation Contractor, LLC for the restoration of Dry Run Stream.

SECTION 2. That this Council finds it in the City's best interest to waive the competitive bidding provisions of Columbus City Code Chapter 329.

SECTION 3. 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 4. 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 5. 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 6. 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 ending December 31, 2016, the sum of \$422,646.00 is appropriated to the Recreation and Parks Grant Fund 2283 per the account codes in the attachment to this ordinance.

SECTION 7. For the purpose stated in Section 1, the expenditure of \$1,325,012.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Grant Fund 2283 and Voted Bond Fund 7702 in object class 06 Capital Outlay per the accounting codes in the attachment.

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 10 days after passage if the Mayor neither approves nor vetoes the same.