



## Legislation Details (With Text)

**File #:** 1374-2017      **Version:** 1

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

**File created:** 5/17/2017      **In control:** Public Service & Transportation Committee

**On agenda:** 6/5/2017      **Final action:** 6/8/2017

**Title:** To amend the 2017 Capital Improvements Budget; to transfer funds between projects within the Streets and Highways Bond Fund; to authorize the Director of Public Service to modify and increase the contract with Danbert, Inc., in connection with the Roadway Improvements - Scioto Peninsula - Duct Bank Re-Bid project; to authorize the expenditure of up to \$578,374.02 from the Streets and Highways Bond Fund; and to declare an emergency. (\$578,374.02)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1374-2017 Accounting Templates CastoCMHA Mod.pdf

| Date     | Ver. | Action By             | Action   | Result |
|----------|------|-----------------------|----------|--------|
| 6/8/2017 | 1    | CITY CLERK            | Attest   |        |
| 6/7/2017 | 1    | MAYOR                 | Signed   |        |
| 6/5/2017 | 1    | COUNCIL PRESIDENT     | Signed   |        |
| 6/5/2017 | 1    | Columbus City Council | Approved | Pass   |

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to modify and increase an existing contract with Danbert, Inc. for the Roadway Improvements - Scioto Peninsula - Duct Bank Re-Bid project in an amount up to \$525,794.56, and to provide for construction administration and inspection services in an amount up to \$52,579.46.

Ordinance 3346-2016 authorized the Director of Public Service to enter into a contract with Danbert, Inc. for the construction of the Roadway Improvements - Scioto Peninsula - Duct Bank Re-Bid project and to provide for construction administration and inspection services

The work performed to date for this project consists of the installation of underground utility duct banks on W. Rich Street, W. Town Street, W. State Street, Rush Alley, W. Capital Street, Starling Street and Belle Street.

The work for modification 1 will consist of the installation of underground utility duct banks on Rich Street from Lucas Street to McDowell Street. Work includes installing conduit duct banks for power and communications, transformers, replacing existing concrete sidewalk, manholes, and removal of existing overhead utilities.

|  |                     |                              |
|--|---------------------|------------------------------|
| The original contract amount, no inspection:     | \$7,292,770.93      | (PO045613-1, Ord. 3346-2016) |
| The total of Modification No. 1, no inspection:  | <u>\$525,794.56</u> | (This Ordinance)             |
| The contract amount including all modifications: | \$7,818,565.49      |                              |

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

### 2. UNPLANNED MODIFICATION

This is an unplanned modification. A private developer in the area needs to move underground the overhead utilities in

order to complete their work. Since our contract was moving underground the utilities on Rich Street to Lucas Street, it was a logical extension of our contract. This ordinance seeks approval to fund modification 1 to the original contract. Although this work is being performed at the request of a private developer, the work is being paid from the Department of Development. Since these are public funds, the project would need to be bid. The developers schedule required the work be completed outside our normal bidding schedule and it was deemed to be more cost efficient to modify the existing contract.

If additional modifications are pursued and additional funds are needed to complete additional improvements, the Director shall seek Council approval to modify this contract and expend additional funds.

### **3. CONTRACT COMPLIANCE**

The contract compliance number for Danbert, Inc. is CC29004-114940 (Vendor No. 004618) and expires 7/6/18.

### **4. PRE-QUALIFICATION STATUS**

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

### **4. FISCAL IMPACT**

Funding in the amount of \$578,374.02 is available within the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2017 Capital Improvements Budget and a transfer of funds and appropriation are necessary to align funding for these project expenditures.

### **5. EMERGENCY DESIGNATION**

Emergency action is requested to prevent unnecessary delays in the completion of modification 1 for the Roadway Improvements - Scioto Peninsula - Duct Bank Re-Bid project to facilitate the completion of planned improvements in a timely manner, thereby preserving the public health, peace, safety, and welfare of the travelling public.

To amend the 2017 Capital Improvements Budget; to transfer funds between projects within the Streets and Highways Bond Fund; to authorize the Director of Public Service to modify and increase the contract with Danbert, Inc., in connection with the Roadway Improvements - Scioto Peninsula - Duct Bank Re-Bid project; to authorize the expenditure of up to \$578,374.02 from the Streets and Highways Bond Fund; and to declare an emergency. (\$578,374.02)

**WHEREAS**, contract no. PO045613-1, in the amount of \$7,292,770.93, was authorized by ordinance no. 3346-2016; and

**WHEREAS**, the Department of Public Service has determined it to be in the City's best interest to modify the subject contract for the purpose of performing additional utility work in the Roadway Improvements - Scioto Peninsula - Duct Bank Re-Bid project, for the installation of underground utility duct banks on Rich Street from Lucas Street to McDowell Street; and

**WHEREAS**, this is an unplanned modification and the Director of Public Service may request additional, future modifications for additional work; and

**WHEREAS**, this ordinance authorizes the Director of the Department of Public Service to enter into a modification to the Roadway Improvements - Scioto Peninsula - Duct Bank Re-Bid project in an amount up to \$578,374.02 with Danbert, Inc.; and

**WHEREAS**, the total contract amount, including this modification, is \$7,818,565.49; and

**WHEREAS**, it is necessary to provide for contract payment and construction administration and inspection services for that project; and

**WHEREAS**, it is necessary to amend the 2017 Capital Improvement Budget and transfer cash and appropriation to align

funding for project expenditures; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to enter into a contract modification with Danbert, Inc., and to authorize the encumbrance and expenditure of requisite funds to facilitate the completion of unplanned improvements for the Roadway Improvements - Scioto Peninsula - Duct Bank Re-Bid project in a timely manner, thereby preserving the public health, peace, safety, and welfare; **now, therefore**

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

**SECTION 1.** That the 2017 Capital Improvements Budget authorized by Ordinance 1124-2017 be amended to establish sufficient authority for this project:

**Department of Public Service:**

**Fund / Project / Project Name / Current C.I.B. / Amendment Amount / C.I.B. as Amended**

7704 / P590131-100003 / Misc Dev-American Addition Infrastructure (Unvoted Carryover) / \$649,180.00 / (\$578,375.00) / \$70,805.00

7704 / P530161-100181 / Roadway Improvements-Scioto Peninsula-Duct Bank (Unvoted Carryover) / \$0.00 / (\$578,375.00) / \$578,375.00

**SECTION 2.** That the transfer of \$578,374.02, or so much thereof as may be needed, is hereby authorized between projects within Fund 7704 Streets and Highways Bond Fund per the accounting codes in the attachment to this Ordinance.

**SECTION 3.** That the Director of Public Service be and hereby is authorized to enter into a contract modification with Danbert, Inc., 8077 Memorial Drive, Plain City, Ohio 43064, for the Roadway Improvements - Scioto Peninsula - Duct Bank Re-Bid project in the amount of \$525,794.56, or so much thereof as may be needed, in accordance with the plans and specifications on file in the Department of Public Service, which are hereby approved; and to pay for necessary inspection costs associated with the project up to a maximum of \$52,579.46.

**SECTION 4.** That the expenditure of \$578,374.02, or so much thereof as may be needed, is hereby authorized in Fund 7704 Streets and Highways 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.