



## Legislation Details (With Text)

**File #:** 1655-2018      **Version:** 1

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

**File created:** 6/6/2018      **In control:** Public Service & Transportation Committee

**On agenda:** 7/23/2018      **Final action:** 7/25/2018

**Title:** To amend the 2018 Capital Improvement Budget; to authorize and direct the City Auditor to appropriate funds within the Special Income Tax Fund; to transfer funds between the Special Income Tax Fund and the Streets and Highways Bond Fund; to transfer funds within the Streets and Highways bond fund and within the Water Bonds Fund; to authorize the Director of Public Service to enter into contract with Strawser Paving Company for Resurfacing - 2018 Project 2; to authorize the expenditure of up to \$9,521,491.48 to pay for the project; and to declare an emergency. (\$9,521,491.48)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD 1655-2018 Resurfacing 2018 P2

Date	Ver.	Action By	Action	Result
7/25/2018	1	CITY CLERK	Attest	
7/24/2018	1	ACTING MAYOR	Signed	
7/23/2018	1	COUNCIL PRESIDENT	Signed	
7/23/2018	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into contract with Strawser Paving Company for Resurfacing - 2018 Project 2 and to provide payment for construction, construction administration and inspection services.

This contract includes repairing and resurfacing 55 City streets and constructs 353 ADA curb ramps along those streets. The work consists of milling the existing pavement, overlaying with new asphalt concrete, minor curb replacement, and replacing curb and sidewalk associated with installing ADA wheelchair ramps. Where warranted, the plans also call for areas of full depth pavement repair. Specific work areas are identified for roadway base cement stabilization and pavement reconstruction.

The estimated Notice to Proceed date is July 23, 2018. The project was let by the Office of Support Services through Vendor Services and Bid Express. Four bids were received on May 24, 2018, and tabulated as follows:

Company Name	Bid Amount	City/State	Majority/MBE/FBE
Strawser Paving Company	\$8,735,313.28	Columbus, OH	Majority
Kokosing Construction Co., Inc.	\$8,794,483.98	Columbus, OH	Majority
Decker Construction Co.	\$9,206,659.32	Columbus, OH	Majority
Shelly and Sands, Inc.	\$11,146,042.80	Columbus, OH	Majority

Award is to be made to Strawser Paving Company as the lowest responsive and responsible and best bidder for their bid of \$8,735,313.28. The amount of construction administration and inspection services will be \$786,178.20. The total legislated amount is \$9,521,491.48.

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

## **2. CONTRACT COMPLIANCE INFORMATION**

The contract compliance number for Strawser Paving Company is CC006114 and expires 1/30/2019.

## **3. PRE-QUALIFICATION STATUS**

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

## **4. FISCAL IMPACT**

This project is funded by the Department of Public Service, the Department of Public Utilities, and the Department of Development.

Funds in the amount of \$154,615.70 are available for Public Utilities within the Water G. O. Bonds Fund, Fund 6006. It is necessary to amend the 2018 Capital Improvement Budget and transfer funds within the Water G.O. Bonds Fund to align budget authority and cash with the proper projects.

Funds in the amount of \$32,306.01 are available for Development within Fund 7704, the Streets and Highways Bond Fund. It is necessary to amend the 2018 Capital Improvement Budget and appropriate and transfer funds within the Streets and Highways Bond Fund to align budget authority and cash with the proper project.

Funds in the amount of \$4,846.83 are available for Public Service within Fund 7704, the Streets and Highways Bond Fund. It is necessary to amend the 2018 Capital Improvement Budget and transfer funds within the Streets and Highways Bond Fund to align budget authority and cash with the proper project.

The remainder of the funding (\$9,329,722.94) for this project is budgeted within the 2018 Capital Improvements Budget. Funds will not be available to Public Service until the proceeds of the bond sale are available later this year. Therefore, it is necessary to certify the requisite funds against the Special Income Tax Fund. An amendment to the 2018 Capital Improvement Budget and a transfer of funds between the Special Income Tax Fund and the Streets and Highways Bond Fund is required to establish sufficient budget authority and cash for the project.

## **5. EMERGENCY DESIGNATION**

Emergency action is requested in order to avoid delays in the construction schedule.

To amend the 2018 Capital Improvement Budget; to authorize and direct the City Auditor to appropriate funds within the Special Income Tax Fund; to transfer funds between the Special Income Tax Fund and the Streets and Highways Bond Fund; to transfer funds within the Streets and Highways bond fund and within the Water Bonds Fund; to authorize the Director of Public Service to enter into contract with Strawser Paving Company for Resurfacing - 2018 Project 2; to authorize the expenditure of up to \$9,521,491.48 to pay for the project; and to declare an emergency. (\$9,521,491.48)

**WHEREAS**, the Department of Public Service is engaged in Resurfacing - 2018 Project 2; and

**WHEREAS**, it is necessary to amend the 2018 Capital Improvement Budget to establish authority within the correct project; and

**WHEREAS**, the work for this project consists of repairing and resurfacing 55 City streets and constructs 353 ADA curb ramps along those streets. The work consists of milling the existing pavement, overlaying with new asphalt concrete, minor curb replacement, and replacing curb and sidewalk associated with installing ADA wheelchair ramps. Where warranted, the plans also call for areas of full depth pavement repair. Specific work areas are identified for roadway base cement stabilization and pavement reconstruction;

**WHEREAS**, Strawser Paving Company will be awarded the contract for Resurfacing - 2018 Project 2; and

**WHEREAS**, the Department of Public Service requires funding to be available for Resurfacing - 2018 Project 2 for construction expense along with 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**, the City will reimburse the Special Income Tax Fund; and

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

**WHEREAS**, the aggregated principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$9,329,722.94; and

**WHEREAS**, the City anticipates incurring certain 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**, it is necessary to amend the 2018 Capital Improvement Budget to establish sufficient budget authority for the proper projects; and

**WHEREAS**, it is necessary to authorize a transfer of funds within Fund 7704, the Streets and Highways Bond Fund, and within the Water G. O. Bonds Fund, Fund 6006, to establish sufficient cash to pay for 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 the Director to enter into contract with Strawser Paving Company to avoid delays in the construction schedule, 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 the 2018 Capital Improvements Budget authorized by ordinance 1010-2018 be amended as follows to establish sufficient authority for this project:

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

7704 / P440005-100000 / UIRF Infrastructure Recovery Fund 59-12 (Voted Carryover) / \$980,656 .00 / (\$32,307.00) / \$948,349.00

7704 / P540002-100000 / Bikeway Development (Voted Carryover) / \$22,469.00 / (\$4,847.00) / \$17,622.00

6006 / P690541-100000 / Reservoirs Bathymetric Study / \$270,000.00 / (\$154,616.00) / \$115,384.00 / (Voted Carryover)

7704 / P440005-102186 / UIRF Arcadia Avenue Bike Facility (Voted Carryover) / \$0.00 / \$32,307.00 / \$32,307.00

7704 / P530282-922018 / Resurfacing - 2018 Project 2 (Voted 2016 Debt SIT Supported) / \$0.00 / \$9,329,723.00 / \$9,329,723.00

7704 / P530282-922018 / Resurfacing - 2018 Project 2 (Voted Carryover) / \$0.00 / \$4,847.00 / \$4,847.00

6006 / P690236-100071 / Maize Rd. Area WL Imp's (Voted Carryover) / \$0 / \$105,952.00 / \$105,952.00

6006 / P690236-100069 / Arcadia Ave. Area WL Imp's (Voted Carryover) / \$509,498.00 / \$48,664.00 / \$558,162.00

7704 / 530282-100051 / Resurfacing - Resurfacing Projects (Voted 2016 Debt SIT Supported) / \$24,227,610.00 / (\$9,329,723.00) / \$14,897,887.00

**SECTION 2.** That the Director of Public Service be and is hereby authorized to enter into a construction services contract with Strawser Paving Company, 1595 Frank Road, Columbus, Ohio, 43223, for Resurfacing - 2018 Project 2 in the amount of up to \$8,735,313.28 in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to pay for necessary construction administration and inspection costs associated with the project up to a maximum of \$786,178.20.

**SECTION 3.** 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 ended December 31, 2018, the sum of \$9,329,722.94 is appropriated in Fund 4430 (Special Income Tax), Dept-Div 2201 (Division of Design and Construction) in Object Class 10 (Transfer Out Operating) and in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Division of Design and Construction), Project P530282-922018 (Resurfacing - 2018 Project 2), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 4.** That the transfer of \$9,329,722.94 or so much thereof as may be needed, is hereby authorized from Fund 2201 (Special Income Tax), Dept-Div 5912 (Division of Design and Construction) to Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction) per the account codes in the attachment to this ordinance.

**SECTION 5.** That the transfer of \$4,846.83, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5911 (Infrastructure Management), Project P540002-100000 (Bikeway Development), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530282-922018 (Resurfacing - 2018 Project 2), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 6.** That the transfer of \$154,615.70, or so much thereof as may be needed, is hereby authorized within Fund 6006 (Water G.O. Bonds Fund), Dept-Div 6009 (Water), P690541-100000 (Reservoirs Bathymetric Study), Object Class 06 (Capital Outlay) to Dept-Div 6009 (Water), Project P690236-100071 (Maize Rd. Area WL Imp's) and Project P690236-100069 (Arcadia Ave. Area WL Imp's), Object Class 06 (Capital Outlay), both per the account codes in the attachment to this ordinance.

**SECTION 7.** That the monies appropriated in the foregoing Section 3 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 4.

**SECTION 9.** 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 \$9,329,722.94 (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 10.** That the expenditure of \$154,615.70, or so much thereof as may be needed, is hereby authorized in Fund 6006 (Water G.O. Bonds Fund), Dept-Div 6009 (Water), Projects P690236-100069 (Arcadia Ave. Area WL Imp's) and P690236-100071 (Maize Rd. Area WL Imp's), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 11.** That the expenditure of \$9,366,875.78, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction), Projects P440005-102186 (UIRF Arcadia Avenue Bike Facility) and P530282-922018 (Resurfacing - 2018 Project 2), in Object Class 06 (Capital Outlay), both per the accounting codes in the attachment to this ordinance.

**SECTION 12.** That the funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

**SECTION 13.** 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 14.** 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 15.** 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.