



Legislation Details (With Text)

File #: 0024-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 12/23/2019 **In control:** Public Service & Transportation Committee

On agenda: 1/13/2020 **Final action:** 1/15/2020

Title: To amend the 2019 Capital Improvement Budget; to authorize the transfer of cash within the Street and Highway Improvement Non-Bond Fund; to appropriate funds within the Federal Transportation Grants Fund, the Transportation Grants Fund and the Street and Highway Improvement Non-Bond Fund; to authorize the Director of Public Service to enter into contract with Shelly & Sands, Inc., for the Arterial Street Rehabilitation - Hamilton Road - I70 to Refugee Road project; to authorize the expenditure of up to \$581,698.00 from the Streets and Highways Bond Fund, up to \$1,111.937.16 from the Street and Highway Improvement Non-Bond Fund, up to \$15,225,690.21 from the Federal Transportation Grant Fund, and up to \$3,347,547.02 from the Transportation Grants Fund for the Arterial Street Rehabilitation - Hamilton Road - I70 to Refugee Road project; and to declare an emergency. (\$20,266,872.39)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
1/15/2020	1	CITY CLERK	Attest	
1/14/2020	1	MAYOR	Signed	
1/13/2020	1	COUNCIL PRESIDENT	Signed	
1/13/2020	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into contract with Shelly & Sands, Inc., for the Arterial Street Rehabilitation - Hamilton Road - I70 to Refugee Road project and to provide payment for construction, construction administration and inspection services.

This contract includes safety improvements, partial reconstruction, and resurfacing along South Hamilton Road from south of Refugee Road to north of Groves Road. Facility upgrades include the installation of new curb and gutter, storm water drainage, shared use path, sidewalks, lighting, mast arm traffic signals, full width pavement resurfacing, and replacement of the structure over Miller Ditch.

The estimated Notice to Proceed date is April 06, 2020. The project was let by the Office of Support Services through Vendor Services and Bid Express. Five bids were received on October 24, 2019, and tabulated as follows:

<u>Company Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Double Z Construction Company	\$16,880,311.35	Columbus, OH	Majority
Shelly & Sands, Inc.	\$18,765,622.58	Columbus, OH	Majority
George J. Igel & Co., Inc.	\$18,772,916.96	Columbus, OH	Majority
Complete General Construction	\$19,823,820.22	Columbus, OH	Majority
Sunesis Construction Co.	\$19,983,061.80	West Chester, OH	Majority

Per the bid terms and conditions, the low bidder, Double Z Construction Company, was allowed to withdraw their bid due to a clerical error that resulted in a substantial reduction of their bid price. Award is to be made to the second low bidder, Shelly & Sands, Inc., as the lowest responsive and responsible and best bidder for their bid of \$18,765,622.58. The amount of construction administration and inspection services will be \$1,501,249.81. The total legislated amount is \$20,266,872.39.

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

2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for Shelly & Sands, Inc., is CC006043 and expires 03/01/2020.

3. PRE-QUALIFICATION STATUS

Shelly & Sands, Inc., 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

Funding for this project is as follows:

This is a reimbursable budgeted expense of \$15,225,690.21 for this project within Fund 7765 (Federal Transportation Grant Fund), Grant #G591703 (Hamilton RD I70 to Refugee Rd PID95570, from the Ohio Department of Transportation. The entire amount of \$15,225,690.21 will need to be appropriated within the grant.

This is a reimbursable budgeted expense of \$3,347,547.02 for this project within Fund 7763 (Transportation Grant Fund), Grant #G591812 (2018 Hamilton Rd I70 - Refugee Rd DCV06), from the Ohio Public Works Commission. The entire amount of \$3,347,547.02 will need to be appropriated within the grant.

Public Service will contribute a local share amount of \$1,693,635.16 for this project. Funds in the amount of \$581,698.00 are budgeted and available within the Streets and Highways Bonds Fund, Fund 7704, Project #P530103 - 100052 (Arterial Street Rehabilitation - Hamilton Road - I70 to Refugee Road). Funds in the amount of \$1,111,937.16 are available within the Street and Highway Improvement Non-Bond Fund, Fund 7766, Project P766999-100000 (Unallocated Balance Fd. 766). An amendment to the 2019 Capital Improvement Budget, a transfer of funds, and appropriation of funds is necessary to establish sufficient budget authority and cash in the proper project for the use of the 7766 funds.

5. EMERGENCY DESIGNATION

Emergency action is requested in order to allow construction to begin on schedule.

To amend the 2019 Capital Improvement Budget; to authorize the transfer of cash within the Street and Highway Improvement Non-Bond Fund; to appropriate funds within the Federal Transportation Grants Fund, the Transportation Grants Fund and the Street and Highway Improvement Non-Bond Fund; to authorize the Director of Public Service to enter into contract with Shelly & Sands, Inc., for the Arterial Street Rehabilitation - Hamilton Road - I70 to Refugee Road project; to authorize the expenditure of up to \$581,698.00 from the Streets and Highways Bond Fund, up to \$1,111,937.16 from the Street and Highway Improvement Non-Bond Fund, up to \$15,225,690.21 from the Federal Transportation Grant Fund, and up to \$3,347,547.02 from the Transportation Grants Fund for the Arterial Street Rehabilitation - Hamilton Road - I70 to Refugee Road project; and to declare an emergency. (\$20,266,872.39)

WHEREAS, the Department of Public Service is engaged in the Arterial Street Rehabilitation - Hamilton Road - I70 to Refugee Road project; and

WHEREAS, the work for this project consists of safety improvements, partial reconstruction, and resurfacing along South Hamilton Road from south of Refugee Road to north of Groves Road; and facility upgrades including the installation of new curb and gutter, storm water drainage, shared use path, sidewalks, lighting, mast arm traffic signals, full width pavement resurfacing, and replacement of the structure over Miller Ditch; and

WHEREAS, Shelly & Sands, Inc., will be awarded the contract for the Arterial Street Rehabilitation - Hamilton Road - I70 to Refugee Road project; and

WHEREAS, it is necessary to enter into a contract with Shelly & Sands, Inc., for the Arterial Street Rehabilitation - Hamilton Road - I70 to Refugee Road project in the amount of up to \$18,765,622.58; and

WHEREAS, the Department of Public Service requires funding to be available for the Arterial Street Rehabilitation - Hamilton Road - I70 to Refugee Road project for construction expense along with construction administration and inspection services; and

WHEREAS, the project will be funded with Federal Transportation and MORPC grant funds administered via ODOT, Ohio Public Works Commission grant funds, and Department of Public Service funds; and

WHEREAS, it is necessary to amend the 2019 Capital Improvement Budget to establish authority within the correct project; and

WHEREAS, it is necessary for Council to authorize a transfer of funds within Fund 7766, the Street & Highway Improvement Non-Bond Fund, to establish sufficient cash to pay for the project; and

WHEREAS, funds must be appropriated within the Federal Transportation Grants Fund, the Transportation Grants Fund, and the Street and Highway Improvement Non-Bond Fund; 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 contract with Shelly & Sands, Inc., to allow construction to begin on 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 2019 Capital Improvements Budget authorized by ordinance 1326-2019 be amended as follows to establish sufficient authority for this project:

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

7766 / P766999-100000 / 59-03 Unallocated Balance Fd. 766 (Street and Highway Imp Carryover) / \$2,261,494.00 / \$1,128,811.00 / \$3,390,305.00 (to match cash)

7766 / P766999-100000 / 59-03 Unallocated Balance Fd. 766 (Street and Highway Imp Carryover) / \$3,390,305.00 / (\$1,111,937.00) / \$2,278,368.00

7766 / P530103-100052 / Arterial Street Rehabilitation-Hamilton Road- I-70 to Refugee Road (Street and Highway Imp Carryover) / \$0.00 / \$1,111,937.00 / \$1,111,937.00

SECTION 2. That the transfer of \$1,111,937.16, or so much thereof as may be needed, is hereby authorized within Fund 7766 (Street and Highway Improvement Non-Bond Fund), from Dept-Div 5912 (Design and Construction), Project P766999-100000 (59-03 Unallocated Balance Fd. 766), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530103-100052 (Arterial Street Rehabilitation - Hamilton Road - I70 to Refugee Road), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

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, 2020, the sum of \$1,111,937.16 is appropriated in Fund 7766 (Street and Highway Improvement Non-Bond Fund), Dept-Div 5912 (Design and Construction), Project P530103-100052 (Arterial Street Rehabilitation - Hamilton Road - I70 to Refugee Road) in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 4. 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, 2020, the sum of \$15,225,690.21 is appropriated in Fund 7765 (Federal Transportation Grant Fund), Dept-Div 5912 (Design and Construction), G591703 (Hamilton RD I70 to Refugee Rd PID95570), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 5. 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, 2020, the sum of \$3,347,547.02 is appropriated in Fund 7763 (Transportation Grants Fund), Dept-Div 5912 (Design and Construction), G591812 (2018 Hamilton Rd I70 -Refugee Rd DCV06), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 6. That the Director of Public Service be and is hereby authorized to enter into a construction services contract with Shelly & Sands, Inc., 1515 Harmon Avenue, Columbus, Ohio, 43223, for the Arterial Street Rehabilitation - Hamilton Road - I70 to Refugee Road project in the amount of up to \$18,765,622.58 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 \$1,501,249.81.

SECTION 7. That the expenditure of \$581,698.00, 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), P530103-100052 (Arterial Street Rehabilitation-Hamilton Road- I-70 to Refugee Road), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 8. That the expenditure of \$1,111,937.16, or so much thereof as may be needed, is hereby authorized in Fund 7766 (Street and Highway Improvement Non-Bond Fund), Dept-Div 5912 (Design and Construction), P530103-100052 (Arterial Street Rehabilitation-Hamilton Road- I-70 to Refugee Road), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 9. That the expenditure of \$15,225,690.21, or so much thereof as may be needed, is hereby authorized in Fund 7765 (Federal Transportation Grant Fund), Dept-Div 5912 (Design and Construction), G591703 (Hamilton RD I70 to Refugee Rd PID95570), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 10. That the expenditure of \$3,347,547.02, or so much thereof as may be needed, is hereby authorized in Fund 7763 (Transportation Grants Fund), Dept-Div 5912 (Design and Construction), G591812 (2018 Hamilton Rd I70 - Refugee Rd DCV06), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 11. 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 12. 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 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. At the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

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.

