



## Legislation Details (With Text)

**File #:** 1193-2020 **Version:** 1

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

**File created:** 5/8/2020 **In control:** Public Service & Transportation Committee

**On agenda:** 6/1/2020 **Final action:** 6/5/2020

**Title:** To amend the 2019 Capital Improvement Budget; to authorize the transfer of cash between projects within the Street and Highway Improvements Non-Bond Fund; to authorize the appropriation of funds within the Street and Highways Improvements Non-Bond Fund; to waive the competitive bidding requirements of City Code Chapter 329; to authorize the Director of Public Service to execute a service contract with Designing Local Limited for the design and installation of public art along the Sullivant Avenue corridor; to authorize the expenditure of up to \$249,875.00 from the Street and Highway Improvements Non-Bond Fund to pay for the contract; and to declare an emergency. (\$249,875.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 1193-2020 Bid Waiver Form, 2. Ordinance 1193-2020 Accounting Codes

Date	Ver.	Action By	Action	Result
6/5/2020	1	CITY CLERK	Attest	
6/4/2020	1	MAYOR	Signed	
6/1/2020	1	COUNCIL PRESIDENT	Signed	
6/1/2020	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to execute a service contract with Designing Local Limited for the provision of public engagement, conceptual design, plan development, and art installation services related to the Roadway - Sullivant Avenue - Hague to I70 project.

The aforementioned project encompasses various improvements to the existing Sullivant Avenue corridor from Hague Avenue to Interstate 70. Ordinance 0675-2020 authorized the Director of Public Service to execute a professional service contract with E.P. Ferris and Associates to advance the design of necessary public infrastructure improvements along the corridor including new traffic signals, street lighting, and curb extensions/bumpouts.

The Department of Public Service desires to engage Designing Local to guide the development of a public art plan and to manage the production and installation of public artwork in that area, an effort commonly referred to as the Sullivant Bright Public Art and Parklet project. This Columbus-based business has been certified as a woman owned business enterprise by the City's Office of Diversity and Inclusion and has demonstrated experience at delivering similar projects to the City of Columbus, having been previously commissioned by the Department of Development to develop the High Street Strategic Public Art Plan and by the Recreation and Parks Department to design improvements to the Tuttle Park lower fields.

The completion of the Sullivant Bright Public Art and Parklet project must align with the current schedule outlined for the design and construction of planned public infrastructure improvements because the artistic elements will be integrated into components of said improvements. This critical coordination of services effectively precludes a formal solicitation process because the design phase of the Roadway - Sullivant Avenue - Hague to I70 project already has commenced and

construction is slated to begin next year, necessitating the approval of a bidding waiver to allow for the execution of the proposed service contract with Designing Local.

A contract modification may be required to add funds for a proposed decorative lighting project on the Interstate 70 underpass. This decorative lighting project will require final approval from the Ohio Department of Transportation (ODOT). The final cost for the decorative lighting project cannot be determined until its design is completed and ODOT has approved any proposed work. An ordinance requesting Council's approval to modify the contract for the decorative lighting project will be submitted if it is decided to move forward with that part of the project.

## **2. CONTRACT COMPLIANCE INFORMATION**

The contract compliance number for Designing Local is CC020995 and expires January 25, 2021.

## **3. BID WAIVER**

The Department of Public Service is seeking Council approval under City Code Section 329 to waive competitive bidding to facilitate the execution of a service contract with Designing Local because there is an immediate need to align the production and installation of public artwork with the design and construction of needed public infrastructure improvements, and Designing Local has successfully completed similar projects for other City Departments.

## **4. FISCAL IMPACT**

Funding in the amount of \$249,875.00 is available within Fund 7766, the Street and Highway Improvements Non-Bond Fund, within the Department of Public Service. An amendment to the 2019 Capital Improvement Budget is necessary for the purpose of providing sufficient budget authority for the proper project. It is necessary to transfer funds between projects within Fund 7766 to align cash with the proper project. These funds will need to be appropriated.

## **5. EMERGENCY JUSTIFICATION**

Emergency action is requested to facilitate the execution of the service contract so as not to hinder the delivery of services integral to the completion of the Roadway - Sullivant Avenue - Hague to I70 project and to meet community commitments for the project.

To amend the 2019 Capital Improvement Budget; to authorize the transfer of cash between projects within the Street and Highway Improvements Non-Bond Fund; to authorize the appropriation of funds within the Street and Highways Improvements Non-Bond Fund; to waive the competitive bidding requirements of City Code Chapter 329; to authorize the Director of Public Service to execute a service contract with Designing Local Limited for the design and installation of public art along the Sullivant Avenue corridor; to authorize the expenditure of up to \$249,875.00 from the Street and Highway Improvements Non-Bond Fund to pay for the contract; and to declare an emergency. (\$249,875.00)

**WHEREAS**, the Department of Public Service is administering the Roadway - Sullivant Avenue - Hague to I70 project, which encompasses various improvements to the Sullivant Avenue corridor between Hague Avenue and I70; and

**WHEREAS**, Ordinance 0675-2020 authorized the Director of Public Service to execute a professional service contract with E.P. Ferris and Associates to advance the design of necessary public infrastructure improvements, including new traffic signals, street lighting, and curb extensions/bumpouts; and

**WHEREAS**, there is a desire for public art installations to be integrated into planned improvements for the Sullivant Avenue corridor; and

**WHEREAS**, this legislation seeks to authorize the Director of Public Service to execute a service contract with Designing Local, the Columbus-based firm responsible for developing the High Street Strategic Public Art Plan on behalf of the Department of Development, and for designing improvements to the Tuttle Park lower fields on behalf of the Recreation and Parks Department; and

**WHEREAS**, it is necessary to authorize an amendment to the 2019 Capital Improvement Budget for the purpose of providing sufficient budget authority for the aforementioned project expenditure; and

**WHEREAS**, it also is necessary to authorize the transfer of funds within the Street and Highway Improvements Non-Bond to support the aforementioned project expenditure; and

**WHEREAS**, it is necessary to appropriate funds within the Street and Highway Improvements Non-Bond to support the aforementioned project expenditure; and

**WHEREAS**, it is in the best interest of the City to waive the competitive bidding provisions of City Code Chapter 329 to facilitate the execution of the requisite service contract so as to allow the production and installation of public artwork to occur in concert with the schedule outlined for the design and construction of necessary public infrastructure improvements in the Sullivant Avenue corridor; 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 Designing Local Limited in order to facilitate the execution of the service contract so as not to hinder the delivery of services integral to the completion of the Roadway - Sullivant Avenue - Hague to I70 project and to meet community commitments for the project, 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 Improvement Budget authorized by Ordinance 1326-2019 be and hereby is amended to provide sufficient budget authority for the project authorized by this ordinance as follows:

**Fund / Project / Project Name / Current / Change / Amended**

7766 / P766999-100000 / 59-03 Unallocated Balance Fd. 766 (Street & Highway Imp Carryover) / \$2,278,368 / (\$249,875.00) / \$2,028,493.00

7766 / P531034-100000 / Roadway - Sullivant Avenue - Hague to I70 (Street & Highway Imp Carryover) / \$0.00 / \$249,875.00 / \$249,875.00

**SECTION 2.** That the transfer of \$249,875.00, or so much thereof as may be needed, is hereby authorized within Fund 7766 (Street and Highway Improvements Non-Bond Fund), from Dept-Div 5911 (Division of Infrastructure Management), Project P766999-100000 (59-03 Unallocated Balance Fd. 766), Object Class 06 (Capital Outlay) to Dept-Div 59-11 (Division of Infrastructure Management), Project P531034-100000 (Roadway - Sullivant Avenue - Hague to I70), Object Class 06 (Capital Outlay) per the accounting 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 ending December 31, 2020, the sum of \$249,875.00, is appropriated in Fund 7766 (Street and Highway Improvements Non-Bond Fund), Dept-Div 5911 (Division of Infrastructure Management), Project P531034-100000 (Roadway - Sullivant Avenue - Hague to I70), Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That this Council has determined it is in the best interest of the City to waive the competitive bidding requirements of City Code Chapter 329 and hereby waives said requirements.

**SECTION 5.** That the Director of Public Service be and hereby is authorized to execute a service contract with Designing Local Limited, 87 N. 20th Street, Columbus, Ohio, 43203, for the design and installation of public art along the Sullivant Avenue corridor coinciding with the completion of the Roadway - Sullivant Avenue - Hague to I70 project.

**SECTION 6.** That the expenditure of \$249,875.00, or so much thereof as may be needed, is hereby authorized in Fund 7766 (Street and Highway Improvements Non-Bond Fund), Dept-Div 5911 (Division of Infrastructure Management), Project P531034-100000 (Roadway - Sullivant Avenue - Hague to I70), Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 7.** 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 8.** 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 9.** 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 10.** 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.