



## Legislation Details (With Text)

**File #:** 1055-2020      **Version:** 1

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

**File created:** 4/22/2020      **In control:** Public Service & Transportation Committee

**On agenda:** 6/29/2020      **Final action:** 7/2/2020

**Title:** To amend the 2019 Capital Improvement Budget; to authorize the appropriation of \$51,075.00 in the Street and Highways Improvements Non-Bond; to authorize the Director of Public Service to modify a construction contract with Miller Brothers Construction, Inc. relative to the Roadway Improvements - Hamilton Road Extension - Central College to Walnut Road; to authorize the expenditure of \$51,075.00 in the Street and Highways Improvements Non-Bond; to declare an emergency. (\$51,075.00)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Ordinance 1055-2020 Accounting Codes

Date	Ver.	Action By	Action	Result
7/2/2020	1	CITY CLERK	Attest	
7/1/2020	1	MAYOR	Signed	
6/29/2020	1	COUNCIL PRESIDENT	Signed	
6/29/2020	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance also authorizes the Director of Public Service to modify the existing construction contract with Miller Brothers Construction, Inc. (the “Contractor”) to facilitate the construction of the Additional Improvements as part of the Roadway Improvements - Hamilton Road Extension - Central College to Walnut Road project (the “Project”).

The Project encompasses various improvements to Hamilton Road and Central College Road: widening Hamilton Road to the south of Central College Road and extending Hamilton Road approximately 1,100 feet to the north of Central College Road; widening Central College Road for development of turn lanes at the Hamilton Road intersection and at the intersection of High Rock Drive; and installing a new span wire traffic signal at the intersection of Hamilton Road and Central College Road. Other improvements include sidewalk, shared use path, new waterline, storm sewer trunk line, lighting, and pedestrian facilities.

Ordinance 2579-2019 authorized the Director of Public Service to enter into contract, effective November 25, 2019, with the Contractor for the construction of the aforementioned improvements.

This legislation authorizes the execution of an unplanned contract modification between the parties to facilitate the construction of a right in right out entry drive to permit ingress to and egress from a future residential development located west of Hamilton Road (the “Additional Improvements”). The completion of the Additional Improvements will be supported by monies previously deposited with the City Treasurer by Metro Development LLC, with whom the City presently is engaged a Public Private Partnership (3P), pursuant to Ordinance 1039-2020.

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

Original contract amount:	\$3,389,419.54 (Ordinance 2579-2019, PO202210)
Modification 1 amount:	\$46,431.21
Total contract amount, including this modification:	\$3,435,850.75

## 2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for Miller Brothers Construction, Inc. is CC027384, which expires October 13, 2020.

## 3. FISCAL IMPACT

Funding in the amount of \$51,075.00 is available in the Street and Highways Improvements Non-Bond to support this Project expenditure. Those funds, which represent the monies previously deposited by Metro Development LLC pursuant to Ordinance 1039-2020 to support the construction of the Additional Improvements, also will need to be appropriated.

## 4. EMERGENCY DESIGNATION

Emergency action is requested to authorize the execution of the requisite contract modification as soon as reasonably possible so as to prevent unnecessary delays in the completion of the aforementioned project.

To amend the 2019 Capital Improvement Budget; to authorize the appropriation of \$51,075.00 in the Street and Highways Improvements Non-Bond; to authorize the Director of Public Service to modify a construction contract with Miller Brothers Construction, Inc. relative to the Roadway Improvements - Hamilton Road Extension - Central College to Walnut Road; to authorize the expenditure of \$51,075.00 in the Street and Highways Improvements Non-Bond; to declare an emergency. (\$51,075.00)

**WHEREAS**, the City is administering the construction of the Roadway Improvements - Hamilton Road Extension - Central College to Walnut Road project, which encompasses various improvements to and Central College Road, including widening portions of both roadways and extending Hamilton Road just north of Central College Road; and

**WHEREAS**, Ordinance 2579-2019 authorized the Director of Public Service to enter into contract with Miller Brothers Construction, Inc. (the "Contractor") for the construction of the aforementioned improvements; and

**WHEREAS**, the City is engaged in a Public Private Partnership with Metro Development LLC relative to the construction of a residential development west of Hamilton Road; and

**WHEREAS**, pursuant to Ordinance 1039-2020, Metro Development LLC deposited the sum of \$51,075.00 with the City Treasurer to support the construction of a right in right out entry drive to permit ingress to and egress from that location (the "Additional Improvements"); and

**WHEREAS**, it is necessary to authorize the Director of Public Service to execute an unplanned contract modification with the Contractor to facilitate the completion of the Additional Improvements; and

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

**WHEREAS**, it also is necessary to authorize the appropriation of the requisite construction funding; 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 modify the contact with Miller Brothers Construction as soon as reasonably possible so as to prevent unnecessary delays in the completion of the aforementioned 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 Improvements Budget, authorized by Ordinance 1326-2019, be amended as follows to establish sufficient authority for this project:

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

7766 / P530161-100202 / Roadway Improvements - Hamilton Road Extension - Central College to Walnut Road (Unvoted Carryover) / \$0.00 / \$51,075.00 / \$51,075.00

**SECTION 2.** 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 \$51,075.00 is appropriated in Fund 7766 (Street and Highway Improvements Non-Bond), Dept-Div 59-12 (Division of Design and Construction), Project Number P530161-100202 (Roadway Improvements - Hamilton Road Extension - Central College to Walnut Road), Object Class 06 (Capital Outlay), per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Service be and hereby is authorized to modify an existing construction contract with Miller Brothers Construction, Inc. to facilitate the construction of additional improvements as part of the Roadway Improvements - Hamilton Road Extension - Central College to Walnut Road project.

**SECTION 4.** That the expenditure of \$51,075.00 or so much thereof as may be needed, be and hereby is authorized in Fund 7766 (Street and Highways Improvements Non-Bond), Dept-Div 59-12 (Division of Design and Construction), Project P530161-100202 (Roadway Improvements - Hamilton Road Extension - Central College to Walnut Road), Object Class 06 (Capital Outlay) per the account 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.