



Legislation Details (With Text)

File #: 0080-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/7/2021 **In control:** Public Service & Transportation Committee

On agenda: 2/8/2021 **Final action:** 2/11/2021

Title: To amend the 2020 Capital Improvement Budget; to appropriate and transfer funds from the Special Income Tax Fund to the Streets and Highways Bond Fund; to appropriate funds within the Street and Highway Non-Bond Fund and within the Streets and Highways Bond Fund; to transfer cash and appropriation between projects within the Street and Highway Non-Bond Fund; to authorize the Director of Public Service to enter into contract with George J. Igel & Company for the Roadway Improvements - Scioto Peninsula project; to authorize the expenditure of up to \$10,720,070.59 from the Street and Highway Non-Bond Fund and the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$10,720,070.59)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 0080-2021 - Accounting Template

Date	Ver.	Action By	Action	Result
2/11/2021	1	CITY CLERK	Attest	
2/10/2021	1	MAYOR	Signed	
2/8/2021	1	COUNCIL PRESIDENT	Signed	
2/8/2021	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into contract with George J. Igel & Company for the Roadway Improvements - Scioto Peninsula project and to provide payment for construction, construction administration and construction inspection services.

This contract includes reconstructing Capital Street, Rush Alley, and Chapel Street from Starling Street to Belle Street; State Street from the railroad tracks to Belle Street; and Starling Street and Belle Street from Broad Street to Town Street. Project work also includes storm sewer, street lighting, landscaping features, granite curb, sidewalks, paver parking, permeable paver roadways, and other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents.

The estimated Notice to Proceed date is February 12, 2021. The project was let by the Office of Support Services through Vendor Services and Bid Express. Five bids were received on December 10, 2020, and tabulated as follows:

<u>Company Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
George J. Igel & Co.	\$ 9,321,800.52	Columbus, OH	Majority
Shelly & Sands, Inc.	\$ 9,608,146.01	Columbus, OH	Majority
Complete General Construction	\$ 9,723,436.63	Columbus, OH	Majority
Trucco Construction Co.	\$ 9,896,882.63	Columbus, OH	Majority
Catts Construction, Inc.	\$10,506,956.13	Warrensville Heights, OH	Majority

Award is to be made to George J. Igel & Company as the lowest responsive and responsible and best bidder for their bid

of \$9,321,800.52. The Department of Public Service, Division of Design and Construction, has requested the project contingency amount be increased from 10% to 15%. Therefore the amount of the contract with George J. Igel & Company will increase to \$9,745,518.72. The amount of construction administration and inspection services will be \$974,551.87. The total legislated amount is \$10,720,070.59.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against George J. Igel & Company.

2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for George J. Igel & Company is CC006024 and expires 2/16/2022.

3. PRE-QUALIFICATION STATUS

George J. Igel & 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

Scioto Peninsula New Community Authority (NCA) contributed \$1,025,408.39 for the project. This funding was deposited in Fund 7766 (Street and Highway Improvements Non-Bond Fund), Project P531031-100000 (Roadway - Scioto Peninsula Roadway Improvements Phase 1). It is necessary to do a capital budget amendment to match cash and to move budget authority into the correct project (Fund 7766, Project P530161-100151 Roadway Improvements - Scioto Peninsula). Cash will need to be transferred between these projects and the funds will need to be appropriated.

SP Office LLC (Daimler) contributed \$12,322.64 for the project. This funding was deposited in Fund 7766 (Street and Highway Improvements Non-Bond Fund), Project P531031-100000 (Roadway - Scioto Peninsula Roadway Improvements Phase 1). It is necessary to do a capital budget amendment to match cash and to move budget authority into the correct project (Fund 7766, Project P530161-100151 Roadway Improvements - Scioto Peninsula). Cash will need to be transferred between these projects and the funds will need to be appropriated.

Scioto Peninsula FC, LLC contributed \$72,994.22 for the project. This funding was deposited in Fund 7766 (Street and Highway Improvements Non-Bond Fund), Project P531031-100000 (Roadway - Scioto Peninsula Roadway Improvements Phase 1). It is necessary to do a capital budget amendment to match cash and to move budget authority into the correct project (Fund 7766, Project P530161-100151 Roadway Improvements - Scioto Peninsula). Cash will need to be transferred between these projects and the funds will need to be appropriated.

The Riversouth Authority (RSA) contributed \$312,000.00 for the project. This funding was deposited in Fund 7766 (Street and Highway Improvements Non-Bond Fund), Project P531031-100000 (Roadway - Scioto Peninsula Roadway Improvements Phase 1). It is necessary to do a capital budget amendment to match cash and to move budget authority into the correct project (Fund 7766, Project P530161-100151 Roadway Improvements - Scioto Peninsula). Cash will need to be transferred between these projects and the funds will need to be appropriated.

The Public Service funding for this project is budgeted within the 2020 Capital Improvements Budget, which has been approved by Council under Ordinance 2521-2020. The 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 Public Service funds in the amount of \$9,297,345.34 against the Special Income Tax Fund.

5. EMERGENCY DESIGNATION

Emergency action is requested in order to complete needed improvements at the earliest possible time to allow development of the area to proceed as soon as possible for the safety of the traveling public.

To amend the 2020 Capital Improvement Budget; to appropriate and transfer funds from the Special Income Tax Fund to the Streets and Highways Bond Fund; to appropriate funds within the Street and Highway Non-Bond Fund and within the Streets and Highways Bond Fund; to transfer cash and appropriation between projects within the Street and Highway Non-Bond Fund; to authorize the Director of Public Service to enter into contract with George J. Igel & Company for the Roadway Improvements - Scioto Peninsula project; to authorize the expenditure of up to \$10,720,070.59 from the Street

and Highway Non-Bond Fund and the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$10,720,070.59)

WHEREAS, the Department of Public Service is engaged in the Roadway Improvements - Scioto Peninsula project; and

WHEREAS, the work for this project consists of reconstructing Capital Street, Rush Alley, and Chapel Street from Starling Street to Belle Street; State Street from the railroad tracks to Belle Street; and Starling Street and Belle Street from Broad Street to Town Street. Project work also includes storm sewer, street lighting, landscaping features, granite curb, sidewalks, paver parking, and permeable paver roadways; and

WHEREAS, George J. Igel & Company will be awarded the contract for the Roadway Improvements - Scioto Peninsula project; and

WHEREAS, the Department of Public Service requires funding to be available for the Roadway Improvements - Scioto Peninsula project for construction expense along with construction administration and inspection services; and

WHEREAS, it is necessary to amend the 2020 Capital Improvement Budget to establish budget authority within the correct project; and

WHEREAS, funds contributed for the construction of this project by other parties must be transferred to the proper project and appropriated within the Street and Highway Non-Bond Fund; and

WHEREAS, funds will need to be appropriated within Fund 4430 (Special Income Tax) and within Fund 7704 (Streets and Highways Bond Fund); and

WHEREAS, funds will need to be transferred from the Special Income Tax Fund to the Streets and Highways Bond Fund; 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 \$9,297,345.34; 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 expend funds to pay for the Roadway Improvements - Scioto Peninsula 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 George J. Igel & Company in order to complete needed improvements at the earliest possible time to allow development of the area to proceed as soon as possible for the safety of the traveling public, 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 2020 Capital Improvements Budget authorized by ordinance 2521-2020 be amended as follows to establish sufficient authority for this project:

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

7766 / P531031-100000 / Roadway - Scioto Peninsula Roadway Improvements Phase 1 (Street & Highway Imp Carryover) / \$37,317.00 / \$1,385,408.00 / \$1,422,725.00 (to match cash)

7766 / P531031-100000 / Roadway - Scioto Peninsula Roadway Improvements Phase 1 (Street & Highway Imp Carryover) / \$1,422,725.00 / (\$1,422,725.00) / \$0.00

7766 / P530161-100151 / Roadway Improvements - Scioto Peninsula (Street & Highway Imp Carryover) / \$0.00 / \$1,422,725.00 / \$1,422,725.00

SECTION 2. That the transfer of \$1,422,725.25, or so much thereof as may be needed, is hereby authorized within Fund 7766 (Streets and Highways Non-Bond Fund), Dept-Div 5912 (Design and Construction), Project P531031-100000 (Roadway - Scioto Peninsula Roadway Improvements Phase 1), in Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530161-100151 (Roadway Improvements - Scioto Peninsula), 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, 2021, the sum of \$1,422,725.25 is appropriated in Fund 7766 (Streets and Highways Non-Bond Fund), Dept-Div 5912 (Design and Construction), Project P530161-100151 (Roadway Improvements - Scioto Peninsula), 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, 2021, the sum of \$9,297,345.34 is appropriated in Fund 4430 (Special Income Tax), Dept-Div 2201 (City Auditor), in Object Class 10 (Transfer Out Operating) per the account codes in the attachment to this ordinance.

SECTION 5. That the transfer of \$9,297,345.34, or so much thereof as may be needed, is hereby authorized from Fund 4430 (Special Income Tax), Dept-Div 2201 (City Auditor) 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 6. 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, 2021, the sum of \$9,297,345.34 is appropriated in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction), Project P530161-100151 (Roadway Improvements - Scioto Peninsula), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 7. That the Director of Public Service be and is hereby authorized to enter into a construction services contract with George J. Igel & Company, 2040 Alum Creek Drive, Columbus, Ohio 43207 for the Roadway Improvements - Scioto Peninsula project in the amount of up to \$9,745,518.72 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 \$974,551.87.

SECTION 8. That the expenditure of \$1,422,725.25, or so much thereof as may be needed, is hereby authorized in Fund 7766 (Streets and Highways Non-Bond Fund), Dept-Div 5912 (Design and Construction), Project P530161-100151 (Roadway Improvements - Scioto Peninsula), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 9. That the expenditure of \$9,297,345.34, 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), Project P530161-100151 (Roadway Improvements - Scioto Peninsula), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 10. That the monies appropriated in the foregoing Section 4 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 11. 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 5.

SECTION 12. 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 \$9,297,345.34 (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 13. 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 14. 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 15. 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 16. 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.