



## Legislation Details (With Text)

**File #:** 2766-2022      **Version:** 1

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

**File created:** 10/4/2022      **In control:** Public Service & Transportation Committee

**On agenda:** 10/24/2022      **Final action:** 10/26/2022

**Title:** To amend the 2022 Capital Improvement Budget; to authorize the Director of Public Service to enter into contract with Decker Construction Company for the Pedestrian Safety - Sidewalk Replacement (2022 Tree Root) project; to authorize the expenditure of up to \$747,500.00 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$747,500.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 2766-2022 Accounting Template.pdf, 2. Ord 2766-2022 Goal Information.pdf

Date	Ver.	Action By	Action	Result
10/26/2022	1	CITY CLERK	Attest	
10/25/2022	1	MAYOR	Signed	
10/24/2022	1	COUNCIL PRESIDENT	Signed	
10/24/2022	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into contract with Decker Construction Company for the Pedestrian Safety - TRR Sidewalk Replacement (2022 Tree Root) project and to provide payment for construction, construction administration and inspection services.

The project consists of replacing sidewalks damaged by tree roots of City trees planted within the public right-of-way. Trees will be removed only if necessary to do so. The damaged sidewalk sections will be removed and replaced, 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 November 4, 2022. The project was let by the Office of Support Services through Vendor Services and Bid Express. One bid was received on August 23, 2022, and tabulated as follows:

<u>Company Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Decker Construction Company	\$890,724.12	Columbus, OH	Majority

Award is to be made to Decker Construction Company as the lowest responsive and responsible and best bidder for their bid of \$890,724.12. The bid documents contained a special provision allowing the contract amount to be adjusted to the available budgeted amount for this project. The contract amount will be issued at the budgeted amount of \$650,000.00 and the amount of construction administration and inspection services will be \$97,500.00. The total legislated amount is \$747,500.00.

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

### 2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for Decker Construction Company is CC004549 and expires 12/2/2023.

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

Decker Construction 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**

Funds are available within the Streets and Highways Bond Funds, Fund 7704, in an amount of up to \$747,500.00. An amendment to the 2022 Capital Improvement Budget is required to establish sufficient budget authority for the project. The funds are appropriated.

### **5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 13.00% as assigned by the City's Office of Diversity and Inclusion (ODI). After ODI's review of the Utilization Plan and other related information the contractor submitted with their bid response, ODI has approved an MBE/WBE Program goal of 8.11% for this contract. Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the "City's Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual" and in the "City of Columbus MBE/WBE Program Special Provision" that were part of the bid documents for this contract.

### **6. EMERGENCY DESIGNATION**

Emergency action is requested due to the short construction season in order to complete needed repairs at the earliest possible time to ensure the safety of the traveling public.

To amend the 2022 Capital Improvement Budget; to authorize the Director of Public Service to enter into contract with Decker Construction Company for the Pedestrian Safety - Sidewalk Replacement (2022 Tree Root) project; to authorize the expenditure of up to \$747,500.00 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$747,500.00)

**WHEREAS**, the Department of Public Service is engaged in the Pedestrian Safety - TRR Sidewalk Replacement (2022 Tree Root) project; and

**WHEREAS**, the work for this project consists of replacing sidewalks damaged by tree roots of City trees planted within the public right-of-way, removal of tress as needed, 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; and

**WHEREAS**, Decker Construction Company will be awarded the contract for the Pedestrian Safety - TRR Sidewalk Replacement (2022 Tree Root) project; and

**WHEREAS**, the Department of Public Service requires funding to be available for the Pedestrian Safety - TRR Sidewalk Replacement (2022 Tree Root) project for construction expense along with construction administration and inspection services; and

**WHEREAS**, it is necessary to amend the 2022 Capital Improvement Budget to establish authority within the correct project; and

**WHEREAS**, funds will need to be expended to pay for the Pedestrian Safety - TRR Sidewalk Replacement (2022 Tree Root); 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 Decker Construction Company to complete needed repairs within the short length of the construction season to ensure 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 2022 Capital Improvements Budget authorized by ordinance 1896-2022 be amended as follows to establish sufficient authority for this project:

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

7704 / P590105-100005 / Pedestrian Safety Improvements - Sidewalk Program (Voted Carryover) / \$426,059.00 / \$3,000.00 / \$429,059.00 (to match cash)

7704 / P590105-100005 / Pedestrian Safety Improvements - Sidewalk Program (Voted Carryover) / \$429,059.00 / (\$97,500.00) / \$331,559.00

7704 / P590105-100081 / Pedestrian Safety Improvements - Sidewalk Replacement (Tree Root) (Voted Carryover) / \$650,000.00 / (\$650,000.00) / \$0.00

7704 / P590105-902282 / Pedestrian Safety Improvements - TRR Sidewalk Replacement (2022 Tree Root) (Voted Carryover) / \$0.00 / \$747,500.00 / \$747,500.00

**SECTION 2.** That the Director of Public Service be and is hereby authorized to enter into a construction services contract with Decker Construction Company, 3042 McKinley Ave, Columbus, OH 43204, for the Pedestrian Safety Improvements - TRR Sidewalk Replacement (2022 Tree Root) project in the amount of up to \$650,000.00 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 \$97,500.00.

**SECTION 3.** That the expenditure of \$747,500.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5911 (Infrastructure Management), Project P590105-902282 (Pedestrian Safety Improvements - TRR Sidewalk Replacement (2022 Tree Root)), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 4.** 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 5.** 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 6.** 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 7.** 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.