



## Legislation Details (With Text)

**File #:** 1115-2024 **Version:** 1

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

**File created:** 4/11/2024 **In control:** Public Service & Transportation Committee

**On agenda:** 4/29/2024 **Final action:** 5/1/2024

**Title:** To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Interim Director of Public Service to enter into a contract modification with WSP USA, Inc. for the Roadway - Downtown Columbus Multimodal Transportation project; to authorize the expenditure of up to \$250,000.00 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$250,000.00)

**Sponsors:**

**Indexes:** MBE Participation, WBE Participation

**Code sections:**

**Attachments:** 1. Ord. 1115-2024 Accounting Template

| Date      | Ver. | Action By             | Action   | Result |
|-----------|------|-----------------------|----------|--------|
| 5/1/2024  | 1    | CITY CLERK            | Attest   |        |
| 4/30/2024 | 1    | MAYOR                 | Signed   |        |
| 4/29/2024 | 1    | COUNCIL PRESIDENT     | Signed   |        |
| 4/29/2024 | 1    | Columbus City Council | Approved | Pass   |

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to modify a professional services contract with WSP USA, Inc. to add additional funds for design of the Roadway - Downtown Multimodal Transportation project.

Ordinance 3091-2022 authorized the Director of Public Service to enter into a professional services contract with WSP USA, Inc. for the Roadway - Downtown Multimodal Transportation project. The intent of this project is to provide the City of Columbus, Department of Public Service, additional resources to identify feasible alternatives for enhanced mobility throughout Downtown Columbus. Concepts for potential reconfiguration of streets have emerged through multiple ongoing planning efforts and include dedicated transit lanes, protected bicycle facilities, regional trail connections, and one-way/two-way street conversions. This project will examine the feasibility of potential street reconfiguration alternatives, including traffic operations analysis, right-of-way impacts, parking/curbside management, multi-modal connections, safety needs, assessment of design trade-offs and recommendation of preferred alternatives. This ordinance authorizes the Interim Director of Public Service to modify the contract in the amount of \$250,000.00.

#### 1.1 Amount of additional funds to be expended: \$250,000.00

The original contract amount: \$500,000.00 (PO361263, Ord. 3091-2022)

The total of Modification No. 1: \$250,000.00 (This Ordinance)

The contract amount including all modifications: \$750,000.00

#### 1.2 Reasons additional goods/services could not be foreseen:

Due to the complexity of this design and the many stakeholders and agencies involved, the preliminary design has expanded its original scope and funds are needed to continue the traffic analysis and planning for the entire downtown network. Additional analyses are needed, along with continuing coordination among project teams for the LinkUS Bus Rapid Transit corridors.

**1.3 Reason other procurement processes are not used:**

The downtown preliminary design will impact the design deadlines of the other Bus Rapid Transit (BRT) routes and how they converge downtown. E Main Street and W Broad Street have design goals this year in order to meet funding deadlines for the Federal Transit Authority. The preliminary design needs to move forward as quickly as possible, and with the knowledge that the consultant team already has after leading the preliminary design for the past year.

**1.4 How cost of modification was determined:**

The cost of this contract modification is consistent with the direct labor, overhead, and profit rates established within the original proposal/contract.

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

**2. CONTRACT COMPLIANCE**

The contract compliance number for WSP USA, Inc. is CC000455 and expires 05/11/2024.

**3. FISCAL IMPACT**

Funding for this contract is available within Fund 7704, the Streets and Highways Bond Fund. An amendment to the 2023 Capital Improvement Budget and a transfer of cash and appropriation is required to establish sufficient budget authority for the project. Funds are appropriated.

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

This contract was bid with a City of Columbus MBE/WBE Program goal of 20% as assigned by the City's Office of Diversity and Inclusion (ODI). 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.

**5. EMERGENCY DESIGNATION**

Emergency action is requested to complete the project in a timely manner to move the preliminary design forward and meet key milestones that impact the other BRT contracts, and to preserve the safety of the traveling public.

To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Interim Director of Public Service to enter into a contract modification with WSP USA, Inc. for the Roadway - Downtown Columbus Multimodal Transportation project; to authorize the expenditure of up to \$250,000.00 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$250,000.00)

**WHEREAS**, contract no. PO361263 with WSP USA, Inc., in the amount of \$500,000.00, was authorized by ordinance no. 3091-2022; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$250,000.00 and provide additional funds for the Roadway - Downtown Columbus Multimodal Transportation project; and

**WHEREAS**, it is necessary to authorize an amendment to the 2023 Capital Improvement Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, it is necessary to authorize a transfer of funds within Fund 7704, the Streets and Highways Bond Fund, to establish sufficient cash to pay for the project; and

**WHEREAS**, this contract opportunity was submitted to the City's Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding; and

**WHEREAS**, this contract was bid with a City of Columbus MBE/WBE Program goal of 20% as assigned by the City's Office of Diversity and Inclusion (ODI); and

**WHEREAS**, failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance; 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 Interim Director to enter into a contract modification with WSP USA, Inc. to prevent delays in the project schedule and to preserve the safety of the traveling public, all for the immediate preservation of the public health, peace, property, safety, and welfare; and **now, therefore**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by Ordinance 1711-2023 be amended to establish sufficient authority for this project:

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

7704 / P530086-100000 / Misc. Intersection Improvements (Voted Carryover) / \$355,988.00 / (\$250,000.00) / \$105,988.00

7704 / P531025-100005 / Roadway - Downtown Multimodal Transportation Study (Voted Carryover) / \$0.00 / \$250,000.00 / \$250,000.00

**SECTION 2.** That the transfer of \$250,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530086-100000 (Misc. Intersection Improvements), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P531025-100005 (Roadway - Downtown Multimodal Transportation Study), Object Class 06 (Capital Outlay) between projects per the account codes in the attachment to this ordinance.

**SECTION 3** That the Interim Director of Public Service be, and hereby is, authorized to enter into a contract modification with WSP USA, Inc. located at Two Miranova Place, Suite 450, Columbus, OH 43215, for the Roadway - Downtown Columbus Multimodal Transportation project in an amount up to \$250,000.00.

**SECTION 4.** That the expenditure of \$250,000.00, 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), Project P531025-100005 (Roadway - Downtown Multimodal Transportation Study), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** 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 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.