



## Legislation Text

**File #: 2933-2015, Version: 1**

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into a contract with Shelly and Sands, Inc. for the construction of the Intersection Improvements - Gender Road at Refugee Road PID 90241 project and to provide payment for construction administration and inspection services. This improvement will be performed in the Eastland/Brice City Planning Area.

The Intersection Improvements - Gender Road at Refugee Road PID 90241 work consists of widening Gender Road, for additional through and/or turn lanes, from approximately 1,700 feet south of its intersection with Refugee Road to approximately 1,350 feet north of said intersection and widening Refugee Road from approximately 1,050 feet west of its intersection with Gender Road to approximately 1,050 feet east of said intersection. In addition to the Gender at Refugee intersection the following intersections within the above-described project limits will be improved: Gender at Upperridge, Countryview/Stirling at Refugee, and Long at Refugee. Work includes signal construction, waterline, storm sewers, pavement construction/resurfacing and other such 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 2, 2016. The project was let by the Office of Support Services through Vendor Services and Bid Express. Four bids were received on October 13, 2015 (all majority) and tabulated as follows:

<u>Company Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Shelly and Sands, Inc.	\$5,199,514.95	Columbus, OH	Majority
Double Z Construction Co.	\$5,301,912.79	Columbus, OH	Majority
Complete General Construction Co.	\$5,685,924.77	Columbus, OH	Majority
Park Enterprise Construction	\$6,319,705.14	Marion, OH	Majority

Award is to be made to Shelly and Sands, Inc., as the lowest, responsive, responsible and best bidder for their bid of \$5,199,514.95. The amount of construction administration and inspection services will be \$519,951.49. The total legislated amount is \$5,719,466.44.

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

### 2. CONTRACT COMPLIANCE

The contract compliance number for Shelly and Sands, Inc. is 314351261 and expires 1/6/16.

### 3. PRE-QUALIFICATION STATUS

Funding for this project is from the Ohio Department of Transportation (ODOT) and ODOT does not allow prequalification requirements. The bidder and subcontractors are exempt from the prequalification requirements under relevant sections of Columbus City Code Chapter 329.

### 4. FISCAL IMPACT

Grants from the Ohio Department of Transportation in the amount of \$4,561,570.83 will partially fund construction and inspection services associated with this project. Public Service will contribute a local share amount of \$1,157,895.62 from the Streets and Highway Bonds Fund (Fund 704).

### 5. EMERGENCY DESIGNATION

Emergency action is requested in order for the project to proceed immediately to ensure the safety of the traveling public, thereby preserving the public health, peace, property, safety and welfare.

To authorize and direct the City Auditor to transfer funds and appropriation within the Streets and Highways Bond Fund; to authorize and direct the City Auditor to transfer funds between the Streets and Highways Bond Fund and the Fed-State Highway Engineering Fund; to appropriate funds within the Fed-State Highway Engineering Fund; to authorize the Director of Public Service to enter into contract with Shelly and Sands, Inc. for the Intersection Improvements - Gender Road at Refugee Road PID 90241 project; to authorize the expenditure of \$5,719,466.44 or so much thereof as may be necessary from the Fed-State Highway Engineering Fund to pay for the contract; and to declare an emergency. (\$5,719,466.44)

**WHEREAS**, the City of Columbus Department of Public Service is engaged in the Intersection Improvements - Gender Road at Refugee Road PID 90241 project; and

**WHEREAS**, work on this project consists of widening Gender Road, for additional through and/or turn lanes, from approximately 1,700 feet south of its intersection with Refugee Road to approximately 1,350 feet north of said intersection and widening Refugee Road from approximately 1,050 feet west of its intersection with Gender Road to approximately 1,050 feet east of said intersection.; and

**WHEREAS**, bids were received on October 13, 2015, and tabulated on October 14, 2015, for the Intersection Improvements - Gender Road at Refugee Road PID 90241 project, and a satisfactory bid has been received; and

**WHEREAS**, the sub-contractors and suppliers to be utilized by Shelly and Sands, Inc. meet the DBE Goal of 8% for this project and were approved by Jason Stith at ODOT on November 9, 2015; and

**WHEREAS**, Shelly and Sands, Inc. will be awarded the contract for the Intersection Improvements - Gender Road at Refugee Road PID 90241 project; and

**WHEREAS**, it is necessary to enter into contract with Shelly and Sands, Inc.; and

**WHEREAS**, it is necessary to provide for construction administration and inspection services; and

**WHEREAS**, grant money will be used to pay for a portion of this project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, in that it is immediately necessary to authorize the Director to enter into contract with Shelly and Sands, Inc. in order for the project to proceed immediately 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 City Auditor be and is hereby authorized to transfer cash and appropriation within the Streets and Highways Bond Fund, Number 704, as follows:

**From:**

**Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount**

704 / 530086-100023 / Intersection Improvements - Gender Rd at Refugee Rd PID 90241 / 06-6600 / 748623 / \$1,157,895.62

**To:**

**Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount**

704 / 530086-100023 / Intersection Improvements - Gender Rd at Refugee Rd PID 90241 / 10-5501 / 748623 /

\$1,157,895.62

**SECTION 2.** That the City Auditor be and is hereby authorized and directed to transfer funds between the Streets and Highways Bond Fund, No. 704, and the Fed-State Highway Engineering Fund, No. 765, as follows:

**Transfer from:**

**Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount**

704 / 530086-100023 / Intersection Improvements - Gender Rd at Refugee Rd PID 90241 / 10-5501 / 748623 / \$1,157,895.62

**Transfer to:**

**Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount**

765 / 591229 -100000 / Gender Rd @ Refugee Rd PID 90241 / 80-0886 / 592229 / \$1,157,895.62

**SECTION 3.** The City Auditor be and is hereby authorized to appropriate a sum of \$5,719,466.44 within Fund 765, the Fed-State Highway Engineering Fund, Dept.-Div. 59-12, Division of Design and Construction as follows:

**Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount**

765 / 591229-100000 / Gender Road @ Refugee Road PID 90241 / 06-6600 / 592229 / \$5,719,466.44

**SECTION 4.** That the Director of Public Service be and is hereby authorized to enter into contract with Shelly and Sands, Inc., 1515 Harmon Avenue, Columbus, Ohio, 43223, and to expend up to \$5,719,466.44 or so much thereof as may be needed, for the purpose of paying the cost of the Intersection Improvements - Gender Road at Refugee Road PID 90241 project construction and inspection costs for the Division of Design and Construction, Dept.-Div. 59-12, from the Federal-State Highway Engineering Fund, No. 765, as follows:

**Contract (\$5,199,514.95)**

**Fund Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount**

765 / 591229-100000 / Gender Road @ Refugee Road PID 90241 / 06-6631 / 592229 / \$5,199,514.95

**Inspection (\$519,951.49)**

**Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount**

765 / 591229-100000 / Gender Road @ Refugee Road PID 90241 / 06-6687 / 592229 / \$519,951.49

**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.