



Legislation Text

File #: 1663-2016, Version: 1

1.0 BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Smith Roofing & Sheet Metal LLC for the Watershed Misc. Imp's - Watershed Management Roof Replacement Project; in an amount up to \$176,766.50; for Division of Water Contract Number 2148.

This project will install a new roof on the Watershed Management Office at 7600 S. Sunbury Road, Westerville, Ohio. Work consists of demolition and installation of a new standing seam metal roof, including gutters, downspouts, and lightning protection, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Invitation for bid (IFB).

The Community Planning Area is "N/A" since the Watershed Management Office is located outside the City of Columbus planning area.

2.0 ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT: The current roof is not properly installed and is at risk of leaking and causing operational problems in the Watershed Management Office (WMO). The WMO staff is responsible for water quality protection and operations and maintenance of the city reservoirs and surrounding city parks and city-owned property. Watershed Protection Specialists protect city property and preserve water quality. A high quality water supply source provides Columbus area residents with excellent drinking water at a reasonable cost. No public input or community outreach was sought for development of this project.

3.0 CONSTRUCTION CONTRACT AWARD: The Department utilized a formal competitive process to advertise and bid this job pursuant to Columbus City Code 329. The Director of Public Utilities publicly opened three bids in Bid Express on June 1, 2016 from: Smith Roofing & Sheet Metal - \$176,766.50 (originally \$253,086.50; see Section 4.0 below); K & W Roofing - \$179,789.85; and Phinney Industrial Roofing - \$233,358.00 (upon bid tab correction).

4.0 BID WAIVER: Smith Roofing & Sheet Metal's total bid price as indicated in Bid Express was \$253,086.50, which was the highest of the three submitted bids. However, upon review of the bid Item No. 2, a lump sum was used by Smith Roofing and Sheet Metal rather than a unit price as requested. When the unit price was applied, the total for this bid item was \$76,800 (compared to \$1,440 and \$1,920 for the other two bidders), indicating an obvious error had been made by Smith Roofing.

Smith Roofing stated that a lump sum was mistakenly used and subsequently clarified how the lump sum translated to the unit price. This clarification changes the total bid amount indicated in Bid Express and results in Smith Roofing as the lowest bidder at \$176,766.50.

In order to allow the Director of Public Utilities to award to the lowest bidder notwithstanding the obvious error, thereby saving over \$3,000, the Department is requesting the provisions of formal competitive bidding be waived in order to contract with Smith Roofing & Sheet Metal LLC.

4.1 PRE-QUALIFICATION STATUS: Smith Roofing & Sheet Metal LLC and all proposed subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

Smith Roofing & Sheet Metal's Contract Compliance Number is 27-0828913 (expires 6/3/17, Majority) and their DAX Vendor Account No. is 002803. Additional information regarding all bidders, description of work, contract time frame

and detailed amounts can be found on the attached Information form.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Smith Roofing & Sheet Metal LLC.

5. FISCAL IMPACT: A transfer of funds within the Water Build America Bonds Fund will be necessary as well as an amendment to the 2016 Capital Improvements Budget.

To authorize the Director of Public Utilities to enter into a construction contract with Smith Roofing & Sheet Metal LLC for the Watershed Misc. Imp's - Watershed Management Roof Replacement Project; to authorize a transfer and expenditure up to \$176,766.50 within the Water Build America Bonds Fund; for the Division of Water; to waive the relevant provisions of City Code relating to competitive bidding; and to authorize an amendment to the 2016 Capital Improvements Budget. (\$176,766.50)

WHEREAS, three bids for the Watershed Misc. Imp's - Watershed Management Roof Replacement Project were received and publicly opened in the offices of the Director of Public Utilities, via Bid Express, on June 1, 2016; and

WHEREAS, Smith Roofing & Sheet Metal's bid of \$253,086.50 was the highest of the three submitted and upon review it was noted that they mistakenly used a lump sum rather than a unit price, for Item No. 2; and

WHEREAS, upon clarification of the lump sum error the bid amount was reduced to \$176,766.50, resulting in Smith Roofing & Sheet Metal being the lowest bidder; and

WHEREAS, it is in the City's best interest to waive the provisions of Chapter 329 of the Columbus City Code related to competitive bidding in order to award to Smith Roofing & Sheet Metal, thereby saving over \$3,000; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract for the Watershed Misc. Imp's - Watershed Management Roof Replacement Project to Smith Roofing & Sheet Metal LLC; and

WHEREAS, it is necessary to transfer an expenditure of funds within the Water Build America Bonds Fund, for the Division of Water; and

WHEREAS, it is necessary to authorize an amendment to the 2016 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

WHEREAS, it has become necessary in the usual daily operation of the Division of Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract for the Watershed Misc. Imp's - Watershed Management Roof Replacement Project, with Smith Roofing & Sheet Metal LLC, for the preservation of the public health, peace, property and safety; now therefore,

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

SECTION 1. That the Director of Public Utilities be and hereby is authorized to award and execute a construction contract for the Watershed Misc. Imp's - Watershed Management Roof Replacement Project with Smith Roofing & Sheet Metal LLC, 2690 Winchester Pike, Columbus, Ohio, 43232; in an amount up to \$176,766.50; in accordance with the terms and conditions of the contract on file in the Office of the Division of Water.

SECTION 2. That this Council finds it in the best interest of the City of Columbus to waive the competitive bidding provisions of Chapter 329 of the Columbus City Code in order to contract with Smith Roofing and Sheet Metal, LLC for

the Watershed Misc. Imp's - Watershed Management Roof Replacement Project, and such provisions are hereby waived.

SECTION 3. That said contractor shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Water.

SECTION 4. That the transfer of \$176,766.50 or so much thereof as may be needed, is hereby authorized between projects within Fund 6009, Water Build America Bonds Fund, per the account codes in the attachment to this ordinance.

SECTION 5. That the 2016 Capital Improvements Budget is hereby amended as indicated on attachment "ORD 1663-2016 Amend CIB".

SECTION 6. That the expenditure of \$176,766.50 or so much thereof as may be needed, is hereby authorized in Fund 6009, Water Build America Bonds Fund, in Object Class 06, Capital Outlay, per the accounting codes in the attachment to this ordinance.

SECTION 7. 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 8. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

SECTION 9. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 10. 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 11. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.