



## Legislation Text

**File #:** 1842-2016, **Version:** 1

**BACKGROUND:** This legislation authorizes the Director of the Department Public Safety to enter into a contract with Gudenkauf Corporation for the installation of fiber optic cabling at three (3) Division of Police substations. The substations that will have fiber optic installed are: Substation 10 located at 4215 Clime Rd., Substation 3/17 located at 5400 Olentangy River Rd., and Substation 14/20 located at 2500 Park Crescent Drive. This project will provide fiber optic network services to these substations in conjunction with the Body Worn Camera Project. The current bandwidth is not large enough to support the utilization of video across the network. The increase in bandwidth will facilitate the uploading of video from the Body Worn Cameras for the personnel at these respective locations.

The Department of Technology (DoT) helped on the bidding process and exercised due diligence by completing the competitive bid process in compliance with Columbus City Code Chapter 329. A formal bid was prepared and posted on the City's solicitation web site; while the bid was posted the Department held a pre-bid walk-through which provided the contractors an opportunity to examine the fiber route. The bid proposal solicitation included a fixed contingency amount of \$60,000.00 in the event that additional service work is required to complete the project. The total bid amount received from each bidder (listed below) includes the contingency amount. On Wednesday, April 22nd at 11:00 a.m., the Department of Technology received and opened one (1) bid via Bid Express number 682016 as follows:

### **682016: 2016 Spring Fiber Optic Construction:**

1. Gudenkauf Corp.: \$773,512.00

This bid identified 5 locations for fiber construction. Three of the locations will be legislated by Public Safety; Police Sub 10 - 4215 Clime Rd - \$214,445.21, Police Sub 3/17 - 5400 Olentangy River Rd - \$59,945.58, Police Sub 14/20 - 2500 Park Crescent Drive - \$210,185.40 and one location by the Department of Technology, OCLC data center - \$226,569.55 with the remaining location Impound Lot - 2700 Impound Lot Rd - \$62,366.26 to be determined at a later date. This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

**EMERGENCY ACTION:** Emergency legislation is required to facilitate prompt contract execution and related payment for services.

### **CONTRACT COMPLIANCE:**

Vendor Name: Gudenkauf Corporation      C.C.#: 31-0908234      Expiration Date: 01/30/17

**FISCAL IMPACT:** This ordinance authorizes the Director of Public Safety to enter into contract for the installation of fiber optic cabling at three Division of Police Substations. Funds for this project, totaling \$484,576.19 are budgeted in Public Safety's Capital Improvement Funds, however, it is necessary to certify the required cash needed against the Special Income Tax Fund (SIT) as a temporary measure until bonds are sold for the project. The SIT will then be reimbursed for this transaction.

To authorize the Director of the Department Public Safety to enter into contract with Gudenkauf Corporation for the installation of fiber optic cabling at three Division of Police Substations; to authorize and direct the City Auditor to appropriate and transfer \$484,576.19 from the Special Income Tax Fund to Public Safety's Bond Funds; to appropriate \$484,576.19 within Public Safety's Capital Improvement Funds; to authorize the expenditure of \$484,576.19 from the

Department of Public Safety's Capital Improvement Funds for Fiber Installation and Upgrades; and to declare an emergency. (\$484,576.19)

**WHEREAS**, the Department of Public Safety needs to establish a contract for the installation of fiber optic network services to locations within the city; and

**WHEREAS**, the Department of Technology exercised due diligence by undergoing a formal bid process in compliance with Columbus City Code Chapter 329; and

**WHEREAS**, Gudenkauf Corporation was the sole respondent to the bid solicitation; and

**WHEREAS**, the Department of Technology recommends awarding the bid to Gudenkauf to install fiber optic cabling to five (5) separate locations throughout the city; and

**WHEREAS**, it is necessary to transfer funds from the Special Income Tax Fund to fund this project; 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 \$484,576.19; 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**, an emergency exists in the usual and daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to authorize the Director to enter into contract with Gudenkauf Corporation to facilitate prompt contract execution and related payment for services for the immediate preservation of the public peace, health, property, safety and welfare; now, therefore

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

**SECTION 1.** That the Director of the Department of Public Safety is hereby authorized to enter into contract with Gudenkauf Corporation for the installation of fiber optic cabling at Substation 10 located at 4215 Clime Rd., Substation 3/17 located at 5400 Olentangy River Rd., and Substation 14/20 located at 2500 Park Crescent Drive, in the amount of \$484,576.19.

**SECTION 2.** That the sum of \$484,576.19 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 4430, 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 ending December 31, 2016 to the City Auditor, Department 22-01, Object Class 10 Transfer Out Operating.

**SECTION 3.** That the transfer of \$484,576.19 or so much thereof as may be needed, is hereby authorized between the Special Income Tax Fund 4430, and the Safety Capital Improvement Funds, Fund 7705 per the account codes in the attachment to this ordinance.

**SECTION 4.** That the monies appropriated in the foregoing Section 2 shall be paid upon order of the Director of Public Safety 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 5.** That upon obtaining other funds for this project for the Department of Public Safety, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3, above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 6.** That the City Auditor is authorized to establish proper accounting project numbers and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred.

**SECTION 7.** 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 \$484,576.19 (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 the 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 8.** All funds necessary to carryout the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 9.** That for the purpose of paying the cost of for the installation of fiber optic cabling at three Division of Police Substations, the sum of \$484,576.19 or so much thereof as may be needed, is hereby authorized to be expended from the Public Safety Capital Improvement Funds Number 7705 in Object Class 06 Capital Outlay, for the Division of Police, Department of Public Safety, Dept-Div. 3003, as per the accounting codes in the attachment to this ordinance.

**SECTION 10.** 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 11.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared 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.