



## Legislation Text

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**File #: 1080-2017, Version: 1**

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**1.0 BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Beheler Excavating, Inc. for the Marion Road Area Neighborhood Project No. 2, Smith Road Sidewalk, Storm Sewer, and Water Line Improvements Project; in an amount up to \$1,787,235.35; and to encumber funds with the Department of Public Service, Design and Construction Division for inspection, material testing, and related services in the amount of \$268,086.00.

This is a joint project between the Department of Public Utilities and Department of Development.

Work consists of construction of approximately 3,100 linear feet of storm sewer and 3,100 linear feet of water line, sidewalks, and extended detention swales, and other such work in accordance with the plans and specifications.

Project is located in Near South planning area.

**2.0 ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT:** The project was initiated due to public complaints of poor drainage along Smith Road and the requests by the community for sidewalks.

**3.0 CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened ten bids on March 22, 2017:

1. Beheler Excavating Inc. = \$1,787,235.35
2. Underground Utilities, Inc. = \$2,049,124.80
3. Conie Construction Co. = \$2,343,777.60
4. John Eramo & Sons, Inc. = \$2,182,411.20
5. Elite Excavating Co. of Ohio, Inc. = \$2,195,895.60
6. Shelly & Sands, Inc. = \$2,398,055.10
7. Facemyer Company = \$2,556,904.20
8. Park Enterprise Construction Co., Inc. = \$2,687,891.50
9. Trucco Construction Co., Inc. = \$2,725,250.88
10. Fields Excavating, Inc. = \$2,946,762.60

**3.1 PRE-QUALIFICATION STATUS:** Beheler Excavating and all proposed subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

Beheler Excavating's bid was deemed the lowest, best, most responsive and responsible bid in the amount of \$1,787,235.35. Their Contract Compliance Number is 30-0160262 (expires 10/16/17, Majority, DAX #003956). 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 Beheler Excavating, Inc.

**4.0 FISCAL IMPACT:** Funding for this Ordinance will come from the Storm Sewer Bonds Fund, the Water G.O. Bonds Fund, and the Streets and Highways G.O. Bonds Fund. See attached "ORD 1080-2017 Funding" for cash transfers.

To authorize the Director of Public Utilities to execute a construction contract with Beheler Excavating, Inc. for the Marion Road Area Neighborhood Project No. 2, Smith Road Sidewalk, Storm Sewer, and Water Line Improvements Project; to provide for payment of inspection, material testing and related services to the Department of Public Service, Design and Construction Division; to authorize an expenditure up to \$725,888.26 within the Storm Sewer Bonds Fund; to authorize a transfer and expenditure up to \$730,377.76 within the Water General Obligations Bonds Fund; and to authorize a transfer and expenditure up to \$599,055.33 within the Streets and Highways G.O. Bonds Fund. (\$2,055,321.35)

**WHEREAS**, ten bids for the Marion Road Area Neighborhood Project No. 2, Smith Road Sidewalk, Storm Sewer, and Water Line Improvements Project were received and publicly opened in the offices of the Director of Public Utilities on March 22, 2017; and

**WHEREAS**, the lowest, best, most responsive and responsible bid was from Beheler Excavating, Inc. in the amount of \$1,787,235.35; and

**WHEREAS**, this is a joint project between the Department of Public Utilities and Department of Development; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to encumber and expend funds to provide for payment of inspection and testing services costs associated with said project; and

**WHEREAS**, it is necessary to authorize an expenditure of funds within the Storm Sewer Bonds Fund; and

**WHEREAS**, it is necessary to authorize transfers and expenditures within the Water G.O. Bonds Fund and the Streets and Highways Fund; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Director to enter into a construction contract with Beheler Excavating, Inc. for the Marion Road Area Neighborhood Project No. 2, Smith Road Sidewalk, Storm Sewer, and Water Line Improvements Project, 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 is hereby authorized to award and execute a contract for the Marion Road Area Neighborhood Project No. 2, Smith Road Sidewalk, Storm Sewer, and Water Line Improvements Project with Beheler Excavating, Inc., 19545 Ankneytown Rd., Fredericktown, OH 43019; in an amount up to \$1,787,235.35; in accordance with the terms and conditions of the contract on file in the Office of the Division of Sewerage and Drainage.

**SECTION 2.** That said contractor shall conduct the work to the satisfaction of the Directors of Public Utilities and Development and the Administrators of the Divisions of Sewerage and Drainage, Water, and Economic Development.

**SECTION 3.** That a transfer of funds is hereby authorized per the account codes in the attachment to this ordinance.

**SECTION 4.** That the expenditure of \$2,055,321.35 or so much thereof as may be needed, is hereby authorized in Object Class 06, Capital Outlay, per the accounting codes in the attachment to this ordinance.

**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 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 7.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 8.** 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 9.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.