



## Legislation Text

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**File #:** 3261-2018, **Version:** 1

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### 1. BACKGROUND

This legislation authorizes the Director of Public Service to modify and increase an existing construction contract with Complete General Construction Company for the Downtown Streetscape - Short North SID -- High Street Improvements Phase 2 project in an amount up to \$500,000.00.

Ordinance 3086-2017 authorized the Director of Public Service to enter into a contract with Complete General Construction Company for the construction of the Downtown Streetscape - Short North SID -- High Street Improvements Phase 2 project and to provide for construction administration and inspection services.

The work performed to date for this project consists of underground vault work, resurfacing of N. Hight Street within the project limits, and the installation of curb and sidewalk. Ongoing work consists of installation of landscaping planters and surface elements.

Modification 1 will consist of replenishing the balance of the contingency, which may or may not be used. Unforeseen conditions depleted the original contingency amount established for this contract. It is necessary to re-establish a contingency amount in case other unforeseen circumstances are encountered so the current construction schedule will not be disrupted or delayed.

The original contract amount:	\$8,845,375.75	(PO096521, Ord. 3086-2017)
The total of Modification No. 1:	<u>\$500,000.00</u>	(This Ordinance)
The contract amount including all modifications:	\$9,345,375.75	

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Complete General Construction Company.

### 2. UNPLANNED MODIFICATION

This is an unplanned modification. The original contingency amount was used to address unanticipated issues (restoring the site for special events in the area, waterproofing basements, temporary pole removals, sidewalk installation at the convention center, and filling-in basement vaults). Additional contingency funding must be put in place, even though it may not be used, to prevent delays in the construction schedule in case additional unexpected expenses are incurred. Because contingency funding is estimated as a percentage of the overall contract, is not tied to a specific item that will be constructed, and may not need to be used, it is manifestly impractical to bid this expense.

### 3. CONTRACT COMPLIANCE

The contract compliance number for Complete General Construction Company is CC006056 and expires 8/31/19.

### 4. PRE-QUALIFICATION STATUS

Complete General Construction Company and all proposed trades subcontractors have met City Code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

### 5. FISCAL IMPACT

Funding in the amount of \$500,000.00 is available within the Streets and Highways Bond Fund, Fund 7704, Project P530053-100002 (Downtown Streetscape - Short North SID -- High Street Improvements Phase 2) and Project P530053-100003 (Downtown Streetscape - Short North SID -- High Street Improvements Phase 3). An amendment to the 2018 Capital Improvements Budget is necessary to align budget authority with the proper project.

## 6. EMERGENCY DESIGNATION

Emergency action is requested to prevent delays in the construction schedule.

To amend the 2018 Capital Improvements Budget; to authorize the Director of Public Service to enter into a contract modification with Complete General Construction Company in connection with the Downtown Streetscape - Short North SID -- High Street Improvements Phase 2 project; to authorize the expenditure of up to \$500,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$500,000.00)

**WHEREAS**, contract no. PO096521 with Complete General Construction Company, in the amount of \$8,845,375.75, was authorized by Ordinance no. 3086-2017; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$500,000.00 for the purpose of replenishing contingency funding in the Downtown Streetscape - Short North SID -- High Street Improvements Phase 2 project; and

**WHEREAS**, it is necessary to provide for contract payment for that project; and

**WHEREAS**, it is necessary to amend the 2018 Capital Improvement Budget to align funding for the project expenditure; 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 Director of Public Service to enter into a contract modification with Complete General Construction Company to prevent delays in the construction schedule, thereby preserving the public health, peace, safety, and welfare; **now, therefore**,

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

**SECTION 1.** That the 2018 Capital Improvements Budget authorized by Ordinance 1010-2018 be amended as follows to establish sufficient budget authority for this project:

#### **Fund / Project / Project Name / Current C.I.B. / Amendment Amount / C.I.B. as Amended**

7704 / P530053 - 100003 / Downtown Streetscape - Short North SID -- High Street Improvements Phase 3 (Voted 2016 Debt SIT Supported) / \$10,000,000.00 / (\$200,000.00) / \$9,800,000.00

7704 / P530053 - 100002 / Downtown Streetscape - Short North SID -- High Street Improvements Phase 2 (Voted 2016 Debt SIT Supported) / \$2,400,000.00 / \$200,000.00 / \$2,600,000.00

**SECTION 2.** That the Director of Public Service be and hereby is authorized to enter into a contract modification with Complete General Construction Company, 1221 East Fifth Avenue, Columbus, Ohio, 43219, for the Short North SID - High Street Improvements Phase 2 project in the amount of \$500,000.00, or so much thereof as may be needed, in accordance with the plans and specifications on file in the Department of Public Service, which are hereby approved.

**SECTION 3.** That the expenditure of \$500,000.00, 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 P530053-100002 (Downtown Streetscape - Short North SID -- High Street Improvements Phase 2), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That the 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 5.** 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 6.** 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 7.** 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.