



## Legislation Text

File #: 0010-2019, Version: 1

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to modify and increase an existing contract with Kokosing Construction Company for Resurfacing - 2018 Project 3 in an amount up to \$1,119,546.76.

Ordinance 1913-2018 authorized the Director of Public Service to enter into a contract with Kokosing Construction Company for the construction of Resurfacing - 2018 Project 3 and to provide for construction administration and inspection services. The contract repairs and resurfaces 88 city streets and constructs 512 ADA curb ramps along those streets. This modification will add resurfacing and pavement repairs on State Route 161 from the City Corporation limits (Big Walnut Creek) to the pavement change at Little Turtle Way to the contract.

The original contract amount:	\$11,304,587.16	(PO130316, Ord. 1913-2018)
The total of Modification No. 1:	<u>\$1,119,546.76</u>	(This Ordinance)
The contract amount including all modifications:	\$12,424,133.92	

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

### 2. UNPLANNED MODIFICATION

This is an unplanned modification that is necessary to cover the cost of unforeseen work that was discovered after the Resurfacing - 2018 Project 3 contract was awarded. The resurfacing and pavement repairs on State Route 161 were not originally planned to be part of Resurfacing - 2018 Project 3; however, the condition of State Route 161 quickly deteriorated after the plans for Project 3 were designed and the project bid. As such, this section of State Route 161 was identified as problematic for Street Maintenance to maintain through the 2018-2019 winter season. Repairs would require complex maintenance of traffic operations to do the work and cannot be effectively and safely managed through the 2018-2019 winter season by Street Maintenance. The advanced resurfacing and repairs made as part of this contract eliminate the need to direct maintenance operations and funding for temporary repairs to this area, enabling the resources to be better utilized in other areas not requiring substantial ongoing maintenance efforts. This work also required substantial maintenance of traffic coordination with ODOT due to the roadway classification and daily traffic volume. The needed work was identified too late in the construction season for the work to be designed, to be bid, and to have construction completed prior to the 2018-2019 winter season. It was deemed to be more cost efficient to modify the existing contract than to bid this part of the work.

The Resurfacing - 2018 Project 3 contract provides flexibility in allowing the City to add and remove streets from the list of streets to be repaired as part of this contract. The work for State Route 161 has been added to the contract. The work performed to date includes the resurfacing and pavement repairs of State Route 161 (from the City Corporation limits (Big Walnut Creek) to the pavement change at Little Turtle Way). This also includes the collector/distributor lanes and the ramp from State Route 161 West Bound to Little Turtle Way. Resurfacing work already planned and announced for this contract will need to be removed from the contract without a contract modification to add funds to do the work displaced by the State Route 161 work. The Department of Public Service requests Council's approval for a contract modification to allow all of the originally planned resurfacing work on this contract to be performed.

### 3. CONTRACT COMPLIANCE

The contract compliance number for Kokosing Construction Company is CC004610 and expires 3/5/20.

### 4. PRE-QUALIFICATION STATUS

Kokosing Construction Company and all proposed trades subcontractors have met 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 \$1,161,167.86 (construction cost plus inspection cost) is available within the Streets and Highways Bond Fund within the Department of Public Service, Project P530161 (Roadway Improvements). An amendment to the 2018 Capital Improvements Budget and a transfer of funds between Project P530161 (Roadway Improvements) and Project P530282 (Resurfacing) are necessary to align funding for these project expenditures.

## 6. EMERGENCY DESIGNATION

Emergency action is requested to prevent delays in the completion of the roadway repairs.

To amend the 2018 Capital Improvement Budget; to authorize the transfer of funds between projects within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a contract modification with Kokosing Construction Company for the Resurfacing - 2018 Project 3 contract; to authorize the expenditure of up to \$1,161,167.86 from the Streets and Highways Bond Fund in relation to this contract modification; and to declare an emergency. (\$1,161,167.86)

**WHEREAS**, contract no. PO130316 with Kokosing Construction Company, in the amount of \$11,304,587.16, was authorized by ordinance no. 1913-2018; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$1,119,546.76 for the purpose of performing additional construction work in the Resurfacing - 2018 Project 3 contract; and

**WHEREAS**, it is necessary to provide for payment of the contract modification and for construction inspection and administration of the additional work; and

**WHEREAS**, it is necessary to amend the 2018 Capital Improvement Budget and transfer cash to align funding for project expenditures; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to enter into a contract modification with Kokosing Construction Company to prevent delays in the completion of the roadway repairs, 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 to establish sufficient authority for this project:

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

7704 / P530161-100085 / Roadway Improvements - Westbelt Park Concrete (Voted 2016 Debt SIT Supported) / \$1,880,661.00 / (\$1,161,168.00) / \$719,493.00

7704 / P530282-932018 / Resurfacing - 2018 Project 3 (Voted 2016 Debt SIT Supported) / \$12,217,226.00 / \$1,161,168.00 / \$13,378,394.00

**SECTION 2.** That the transfer of \$1,161,167.86, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530161-100085 (Roadway Improvements - Westbelt Park Concrete), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530282-932018 (Resurfacing - 2018 Project 3), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of Public Service be and hereby is authorized to enter into a contract modification with

Kokosing Construction Company, 6235 Westerville Road, Columbus, Ohio, 43081, for the Resurfacing - 2018 Project 3 contract in the amount of \$1,119,546.76, 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 4.** That the expenditure of \$1,161,167.86, 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 P530282-932018 (Resurfacing - 2018 Project 3), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** 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 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.