



Legislation Text

File #: 1826-2019, **Version:** 1

1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into contract with Strawser Paving Company for Resurfacing - 2019 Project 3 and to provide payment for construction, construction administration, and inspection services.

This contract includes repair and resurfacing of 13 City streets and construction of 49 ADA curb ramps along those streets. The work consists of milling the existing pavement, overlaying with new asphalt concrete, minor curb replacement, and replacing curb and sidewalk associated with installing ADA wheelchair ramps. Where warranted, the plans also call for areas of full depth pavement repair. This project also includes the resurfacing of one parking lot facility and other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents.

The estimated Notice to Proceed date is August 08, 2019. The project was let by the Office of Support Services through Vendor Services and Bid Express. Three bids were received on June 25, 2019, and tabulated as follows:

<u>Company Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Strawser Paving Company	\$3,843,925.49	Columbus, OH	Majority
Shelly and Sands, Inc.	\$4,096,985.55	Columbus, OH	Majority
Decker Construction Co.	\$4,189,451.06	Columbus, OH	Majority

Award is to be made to Strawser Paving Company as the lowest responsive and responsible and best bidder for their bid of \$3,843,925.49. The amount of construction administration and inspection services will be \$345,953.29. The total legislated amount is \$4,189,878.78.

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

2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for Strawser Paving Company is CC006114 and expires 1/18/2021.

3. PRE-QUALIFICATION STATUS

Strawser Paving Company and all proposed subcontractors have met code requirements with respect to pre-qualification, pursuant to relevant sections of Columbus City Code Chapter 329.

4. FISCAL IMPACT

Operating funds in the amount of \$47,909.15 are available within Fund 2268, the Parking Meter Program Fund, to fund the resurfacing of the parking lot. It is necessary to appropriate these funds.

The remainder of the funding for this project will come from the Resurfacing program in the Streets and Highways Bond Fund, Fund 7704. Budget authority for the Resurfacing work in the amount of \$4,141,969.63 exists in P530282-100051 and P530282-100117 within the 2019 Capital Improvements Budget. The funds will not be available to Public Service until the proceeds of the 2019 bond sale are available later this calendar year. Therefore, it is necessary to certify the requisite funds in the amount of \$4,141,969.63 against the Special Income Tax Fund. An amendment to the 2019 Capital Improvement Budget is required to establish sufficient budget authority in the proper project.

5. EMERGENCY DESIGNATION

Emergency action is requested in order to complete needed improvements at the earliest possible time to ensure the safety of the travelling public.

To amend the 2019 Capital Improvement Budget; to appropriate funds within the Parking Meter Program Fund; to authorize and direct the City Auditor to appropriate and transfer funds from the Special Income Tax Fund to the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into contract with Strawser Paving Company for Resurfacing - 2019 Project 3; to authorize the expenditure of up to \$4,189,878.78 to pay for the project from the Streets and Highways Bond Fund and from the Parking Meter Program Fund; and to declare an emergency. (\$4,189,878.78)

WHEREAS, the Department of Public Service is engaged in Resurfacing - 2019 Project 3; and

WHEREAS, the contract includes resurfacing of one parking lot facility, repairing and resurfacing 13 City streets, and constructing 49 ADA curb ramps along those streets with the work consisting of milling the existing pavement, overlaying with new asphalt concrete, minor curb replacement, replacing curb and sidewalk associated with installing ADA wheelchair ramps, and full depth pavement repair where warranted as noted in the plans; and

WHEREAS, Strawser Paving Company will be awarded the contract for Resurfacing - 2019 Project 3; and

WHEREAS, the Department of Public Service requires funding to be available for Resurfacing - 2019 Project 3 for construction expense along with construction administration and inspection services; and

WHEREAS, it is necessary to amend the 2019 Capital Improvement Budget to establish authority within the correct project; and

WHEREAS, funds must be appropriated within Fund 2268, the Parking Meter Program Fund; 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 \$4,141,969.63; 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 daily operation of the Department of Public Service in that it is immediately necessary to enter into contract with Strawser Paving Company to ensure the safety of the travelling public, thereby preserving the public health, peace, property, safety and welfare; **now, therefore**

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

SECTION 1. That the 2019 Capital Improvements Budget authorized by ordinance 1326-2019 be amended as follows to establish sufficient authority for this project:

Fund / Project / Project Name / Current / Change / C.I.B. as Amended

7704 / P530282-100051 / Resurfacing - Resurfacing Projects (Voted 2019 Debt SIT Supported) / \$3,668,654.00 /

(\$3,668,654.00) / \$0.00

7704 / P530282-100117 / Resurfacing - Resurfacing Coordination with future DPU projects (Voted 2019 Debt SIT Supported) / \$2,500,000.00 / (\$473,316.00) / \$2,026,684.00

7704 / 530282-932019 / Resurfacing - 2019 Project 3 (Voted 2019 Debt SIT Supported) / \$0.00 / \$4,141,970.00 / \$4,141,970.00

SECTION 2. That from the unappropriated monies 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 ended December 31, 2019, the sum of \$47,909.15 is appropriated in Fund 2268 (Parking Meter Program Fund), Dept-Div 5906 (Parking Services), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 3. That from the unappropriated monies 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 ended December 31, 2019, the sum of \$4,141,969.63 is appropriated in Fund 4430 (Special Income Tax), Dept-Div 2201 (City Auditor) in Object Class 10 (Transfer Out Operating) and in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5911 (Division of Infrastructure Management), Project P530282-932019 (Resurfacing - 2019 Project 3), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 4. That the transfer of \$4,141,969.63, or so much thereof as may be needed, is hereby authorized from Fund 4430 (Special Income Tax), Dept-Div 2201 (City Auditor) to Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5911 (Division of Infrastructure Management) per the account codes in the attachment to this ordinance.

SECTION 5. That the Director of Public Service be and is hereby authorized to enter into a construction services contract with Strawser Paving Company, 1595 Frank Road, Columbus, Ohio, 43223, for Resurfacing - 2019 Project 3 in the amount of up to \$3,843,925.49 in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to pay for necessary construction administration and inspection costs associated with the project up to a maximum of \$345,953.29.

SECTION 6. That the expenditure of \$47,909.15, or so much thereof as may be needed, is hereby authorized in Fund 2268 (Parking Meter Program Fund), Dept-Div 5906 (Parking Services), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 7. That the expenditure of \$4,141,969.63, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5911 (Infrastructure Management), Project P530282-923019 (Resurfacing - 2019 Project 3), in Object Class 06 (Capital Outlay), per the accounting codes in the attachment to this ordinance.

SECTION 8. That the monies appropriated in the foregoing Section 3 shall be paid upon order of the Director of Public Service 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 9. That upon obtaining other funds for this project for the Department of Public Service, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 4.

SECTION 10. 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 \$4,141,969.63 (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 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 11. 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 12. 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 13. 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 14. 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.