



Legislation Text

File #: 3141-2019, **Version:** 1

1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into contract with Facemyer Company for the SR315 at North Broadway - Healthy Community Way Stream Mitigation project.

This contract consists of stream mitigation and restoration related to the interchange improvements at the SR315 and North Broadway interchange. The work consists of removing invasive species and planting native species within the stream corridor protection zone of Slyh Run south of Healthy Community Way; removing invasive species and planting native species within the Olentangy River stream corridor protection zone between SR315 and the Olentangy Trail located just north of I-670; and establishing a new stream bank and installing new plantings, riffles, and pools within an unnamed tributary to the Olentangy River that follows the alignment of the SR315 southbound exit ramp to Olentangy River Road/Thomas Lane.

The estimated Notice to Proceed date is January 16, 2020. The project was let by the Office of Support Services through Vendor Services and Bid Express. Two bids were received on November 21, 2019, and tabulated as follows:

<u>Company Name</u>	<u>Bid Amount</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Facemyer Company	\$548,379.79	Sunbury, OH	FBE
The Righter Co., Inc.	\$689,260.00	Columbus, OH	Majority

Award is to be made to Facemyer Company as the lowest responsive and responsible and best bidder for their bid of \$548,379.79.

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

2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for Facemyer Company is WBE005926 and expires 10/31/2021.

3. PRE-QUALIFICATION STATUS

Facemyer 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

Funding for this project is available within the Streets and Highways Bond Fund, Fund 7704. An amendment to the 2019 Capital Improvement Budget is necessary to transfer \$548,380.00 in budget authority from P440010-100000 (Economic Development Agreement) to P441759-100013 (SR315 at North Broadway - Healthy Community Way Stream Mitigation) for the purpose of providing sufficient budget authority in the proper project. It is also necessary to transfer \$548,379.79 in cash between these projects to align cash with the proper project.

5. EMERGENCY DESIGNATION

Emergency action is requested in order to avoid delays in the construction schedule.

To amend the 2019 Capital Improvement Budget; to transfer funds within the Streets and Highways Bond Fund; to authorize the transfer of cash between projects within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into a construction contract with Facemyer Company for the SR315 at North Broadway Healthy

Community Way Stream Mitigation project; to authorize the expenditure of up to \$548,379.79 from the Streets and Highways Bond Fund to pay for the contract; and to declare an emergency. (\$548,379.79)

WHEREAS, the Department of Public Service is engaged in the SR315 at North Broadway Healthy Community Way Stream Mitigation project; and

WHEREAS, the work for this project consists of stream mitigation and restoration related to the interchange improvements at the SR315 and North Broadway interchange; and

WHEREAS, Facemyer Company will be awarded the contract for the SR315 at North Broadway Healthy Community Way Stream Mitigation project; and

WHEREAS, the Department of Public Service requires funding to be available for the SR315 at North Broadway Healthy Community Way Stream Mitigation project for construction expense; and

WHEREAS, it is necessary to amend the 2019 Capital Improvements Budget to align budget authority with the proper project; and

WHEREAS, it is necessary for Council to authorize a transfer of funds within Fund 7704, the Streets and Highways Bond Fund, to establish sufficient cash to pay for 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 Facemyer Company to complete needed improvements at the earliest possible time to avoid delays in the construction schedule, 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 Improvement 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 / P440010-100000 / Economic Development Agreement (Voted Carryover) / \$3,626,356.00 / (\$548,380.00) / \$3,077,976.00

7704 / P441759-100013 / SR315 at North Broadway Healthy Community Way Stream Mitigation (Voted Carryover) / \$0.00 / \$548,380.00 / \$548,380.00

SECTION 2. That the transfer of \$548,379.79, 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 P440010-100000 (Economic Development Agreement), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction) Project P441759-100013 (SR315 at North Broadway Healthy Community Way Stream Mitigation), Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 3. That the Director of Public Service be and is hereby authorized to enter into a construction contract with Facemyer Company, P.O. Box 304, Sunbury, Ohio, 43074, for the SR315 at North Broadway Healthy Community Way Stream Mitigation project in the amount of up to \$548,379.79 in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved.

SECTION 4. That the expenditure of \$548,379.79, 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 P441759 - 100013 (SR315 at North Broadway Healthy Community Way Stream Mitigation), 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.