



## Legislation Text

**File #:** 1263-2020, **Version:** 1

This ordinance is to authorize the Director of the Recreation and Parks Department to enter into contract with McDaniel's Construction Corp., Inc. for the King Arts Complex 2020 HVAC Improvements.

**Background:** The King Arts Complex is a unique culture and arts institution which is comprised of the Barbara Nichols Theater, a second floor educational wing, and the historically significant Pythian Theater which was rehabilitated in 1987 and expanded in 1989 to include the old Garfield Elementary School. Located in the King Lincoln District, the King Arts Complex is listed on the National Register of Historic Places. Maintenance and improvements to this facility helps prolong the life and usability of the center for future generations to utilize and enjoy.

Construction is expected early this summer and is anticipated to be complete in the fall of 2020, prior to scheduled programming of the Center. Funds remaining for the King Arts HVAC 2020 project are being requested as contingency that will be used to replace aging equipment that was not originally included in the base bid. This equipment was not included in the base bids due to cost uncertainty and risk associated with replacing the equipment prior to starting base bid construction. Scope and budget for replacing this equipment can be better defined once construction starts.

Proposals were advertised through Vendor Services, in accordance with City Code Section 329, on April 4, 2020 and received by the Recreation and Parks Department on May 5, 2020 by the following companies.

<u>Company Name</u>	<u>Status</u>	<u>Bid Amount</u>
McDaniel's Construction Corp., Inc.	MBE	\$565,434.00
Miles-McClellan Construction Co., Inc.	MAJ	\$629,338.00
General Temperature Control	MAJ	\$738,000.00

After reviewing the bids that were submitted, it was determine that McDaniel's Construction was the lowest and most responsive bidder.

McDaniel's Construction Corp., Inc. and all proposed subcontractors have met code requirements with respect to prequalification, pursuant to relevant sections of Columbus City Code Chapter 329.

### **Principal Parties:**

McDaniel's Construction Corp., Inc.  
1069 Woodland Avenue  
Columbus, OH 43219  
(614)252-5852  
31-1145406  
August 20, 2021

**Emergency Justification:** An emergency is being requested so that the contractor can begin work in July 2020 and be substantially complete with the work by the fall of 2020. This justification also allows construction to occur at a time that will cause minimum impact to the operations of the King Arts Center.

**Benefits to the Public:** The King Arts Complex, in the historic Near Eastside of Columbus, is a cultural oasis for arts, entertainment, educational activities and community events. With its corridors of thought provoking interactive installations, and an in house art gallery. The building mechanical systems are in need of repair for comfort and use of the

building for years to come.

**Community Input/Issues:** Repairing the building promotes sustainability for reuse of existing facilities and allows the activities within the building to continue. Design has been coordinated with building operators of the complex. Repairs can be made while the building is occupied, with limited down time of systems. Notices will be provided to occupants of any disruption of building services, which should be very minimal.

**Area(s) Affected:** Near East Community. Planning area 56.

**Number of residents served:** Per the Trust for Public Land database 4,284 residents live within ½ mile service area (10 minute walking distance)

**Master Plan Relation:** This Arts Center greatly enriches the lives of our citizens especially serving a diverse community in this location. The project strategically prioritizes facility improvements, re-using and repairing existing buildings promotes sustainability.

**Fiscal Impact:** \$909,554.13 is budgeted and available from within the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of this contract.

To authorize the Director of Recreation and Parks to enter into contract with McDaniel's Construction Corp., Inc. for the King Arts Complex 2020 HVAC Improvements; to authorize the transfer of \$78,398.20 between projects within the Recreation and Parks Bond Fund; to authorize an expenditure of \$909,554.13 from the Recreation and Parks Voted Bond Fund; to amend 2019 Capital Improvements Budget Ordinance 1326-2019; and to declare an emergency. (\$909,554.13)

**WHEREAS**, it necessary to authorize the Director of Recreation and Parks to enter into contract with McDaniel's Construction Corp., Inc. for the King Arts Complex 2020 HVAC Improvements; and

**WHEREAS**, it necessary to authorize the transfer of \$78,398.20 between projects within the Recreation and Parks Bond Fund 7702; and

**WHEREAS**, it necessary to authorize the expenditure of \$909,554.13 from the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS**, it necessary to amend 2019 Capital Improvements Budget Ordinance 1326-2019; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to authorize the Director to enter into contract with McDaniel's Construction Corp. so that the contractor can begin work in July 2020, a time that will cause minimum impact to the operations of the King Arts Center, thereby preserving the public peace, property, health, safety, and welfare; **NOW, THEREFORE**

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

**SECTION 1.** That the Director of Recreation and Parks Department be and is hereby authorized to enter into contract with McDaniel's Construction Corp., Inc. for the King Arts Complex 2020 HVAC Improvements.

**SECTION 2.** 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 3.** 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 4.** 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 5.** That the transfer of \$78,398.20 or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Bond Fund 7702 per the account codes in the attachment to this ordinance.

**SECTION 6.** That the 2019 Capital Improvements Budget Ordinance 1326-2019 is hereby amended as follows in order to provide sufficient budget authority for this ordinance and future projects.

**Fund / Project / Project Name / Current / Change / Amended**

Fund 7702; P510035-100022; King Arts Complex (Voted Carryover) / \$0 / \$72,920 / \$72,920 (to match cash)

Fund 7702; P510127-100000; Roof Improvements (Voted Carryover) / \$0 / \$5,479 / \$5,479 (to match cash)

Fund 7702; P510035-100022; King Arts Complex (Voted Carryover) / \$72,920 / (\$72,920) / \$0

Fund 7702; P510127-100000; Roof Improvements (Voted Carryover) / \$5,479 / (\$5,479) / \$0

Fund 7702; P510036-100000; King Arts Complex (Voted Carryover) / \$1,856,156 / \$78,399 / \$1,934,555

**SECTION 7.** That the expenditure of \$909,554.13 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Voted Recreation and Parks Bond Fund 7702 in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**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.