



Legislation Text

File #: 1264-2020, **Version:** 1

This ordinance authorizes the Director of the Recreation and Parks Department to modify an existing contract (ord. 0480-2018 and 2820-2018) to provide professional architectural and engineering services with O.A. Spencer for the King Arts Complex HVAC Improvements.

Background: Located on the near East side of Columbus, in one of the oldest areas of African-American life in the city, the King Arts Complex opened in March 1987, after the renovation of the Pythian Theater, originally built in 1925 in the Colonial Revival style of architecture and added to the National Register of Historic Places on November 25, 1983 under the name “York Rite Masonic Temple.”

Additional renovations of the building opened in October of 1989, creating a 60,000sf facility, serving as a major anchor for development in the King-Lincoln District. The King Arts Complex is an oasis for cultural and educational activities as well as community facility for special events.

Regular maintenance, repairs and replacements of essential utilities such as heating, ventilation, air conditioning, water, sewer and electric items are required to be able to maintain the facility to allow the cultural activities flourish throughout the community. This project will replace existing central heating systems and sewer lines.

Per City Code (329.09) as it applies to contract modifications:

1. The amount of additional funds to be expended under these modifications?
 - a. Requesting \$25,000.00 to modify the professional services contract with O.A. Spencer. to include final construction documents and services during construction for the HVAC Improvements for the King Arts Complex.
2. Why the need for additional funds could not have been seen at the times that the contracts were initially awarded?
 - a. It was not realized until after we initially entered into contract with O.A. Spencer that the scope of the project has been changing due to unfavorable bidding conditions. The project was bid for construction in 2019 where the low bid exceeded the Center’s budget for the improvements. The project needed to reevaluated and re-advertised for construction. When project scope and design drawings were modified most recently, bids were favorable to enter into construction which requires the modification to this contract.
3. Why is not in our best interest to award additional work through another procurement process?
 - a. O.A. Spencer has been the vendor selected for the design services for this building. There is no other firm positioned to successfully integrate these scope of design modifications for the mechanical systems in this building.
4. How were the prices for these modifications determined?
 - a. Costs were established by negotiating a scope and fee as it was with the original contract. Details became available after scope of mechanical work has been modified after an unsuccessful bid. This scope and fee was negotiated like with any other contract.

Bids were advertised through Vendor Services, in accordance with City Code Section 329, on August 30, 2017 and received by the Recreation and Parks Department on September 27, 2017 from the following companies:

<u>Company</u>	<u>Status</u>	<u>Amount*</u>
Abbot Studios	(MAJ)	N/A

HKI Associates	(MBE)	N/A
OA Spencer	(MBE)	N/A
Star Consultants	(MBE)	N/A
Triad Architects	(MAJ)	N/A

*Note, design contracts are quality based selections and not based on price. Costs were not requested nor where they part of this evaluation.

Principal Parties:

O.A. Spencer, Inc
343 East Livingston Avenue
Columbus, OH 43215
Othelda Spencer, AIA, (614) 461-1033
31-1574528
07/31/2021

Emergency Justification: An emergency is being requested as the services that are included with this contract modification are needed concurrently the construction phases of the improvements, which are scheduled to start in July and complete in the fall of 2020. Maintaining this schedule minimizes the impacts to the programming activities hosted by the King Arts Center.

Benefits to the Public: 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.

Community Input/Issues: The King Arts Complex staff has worked with Recreation and Parks from the beginning of this project to develop the scope of work.

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

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: The expenditure of \$111,645.40 was legislated for the King Arts Complex Improvements Design project by Ordinances 0480-2018 and 2820-2018. This ordinance will provide funding that will modify the previously authorized amount by \$25,000. \$25,000.00 is budgeted and available in the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of this contract modification. The aggregate total amount authorized, including this modification, is \$136,645.40.

To authorize the Director of Recreation and Parks to modify an existing contract to provide professional architectural and engineering services with O.A. Spencer for the King Arts Complex HVAC Improvements; to authorize the expenditure of \$25,000.00 from the Voted Recreation and Parks Bond Fund; and to declare an emergency. (\$25,000.00)

WHEREAS, it necessary to authorize the Director of Recreation and Parks to modify an existing contract, previously authorized by ordinance numbers 0480-2018 and 2820-2018, to provide professional architectural and engineering services with O.A. Spencer for the King Arts Complex HVAC Improvements; and

WHEREAS, it necessary to authorize the expenditure of \$25,000.00, from the Voted Recreation and Parks Bond Fund 7702; 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 modify the contract with O.A. Spencer so that improvements can begin in July 2020 in order to minimize the impacts to the programming activities hosted by 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 modify an existing contract, previously authorized by ordinance numbers 0480-2018 and 2820-2018, to provide professional architectural and engineering services with O.A. Spencer for the King Arts Complex 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 expenditure of \$25,000.00 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 6. 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.