



## Legislation Text

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**File #: 2379-2020, Version: 1**

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This legislation authorizes the Director of Public Utilities to modify the construction contract for Utility Cut and Restoration Services with Decker Construction Company to add \$500,000.00 in funding without extending the term of the contract. Various types of utility excavations are performed within the City of Columbus' right-of-way and City owned properties by the Department of Public Utilities. The restoration work typically involves repair of existing pavement, curbs, and sidewalks in a manner conforming to the City of Columbus, Construction and Material Specifications (CMSC). The Department routinely outsources this restoration work to a contractor that is equipped and trained to make these repairs. Typical types of restoration work that require outsourcing involve the installation of wheelchair ramps, asphalt repair involving thermal bond heat weld repairs, asphalt milling machines capable of full width milling, and the delivery of flowable controlled density fill using volumetric mixer trucks.

**CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened one bid on May 8, 2019 from the Decker Construction Company. The bid from Decker Construction Company was deemed the lowest, most responsive and responsible bid. The contract contains a multi-year renewal option.

**SUPPLIER:** Decker Construction Company (Vendor #004549). Contract Compliance Number: 31-0983557 (expires 1/2/22, Majority).

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

1. Amount of additional funds: Total amount of additional funds needed for this contract modification No. 2 is \$500,000.00. Total contract amount including this modification is \$3,181,042.50.

2. Reason additional funds were not foreseen: The potential need for modifications to add funds was provided for in the original contract.

3. Reason other procurement processes were not used: Work under this renewal is a continuation of services included in the scope of the original bid contract. No lower pricing/more attractive terms and conditions are anticipated at this time.

4. How was cost determined: The cost, terms, and conditions are in accordance with the original agreement.

**FISCAL IMPACT:** \$500,000.00 is budgeted and available within the Water Operating Fund for this contract modification.

\$780,957.42 has been spent year-to-date in 2020 by the Division of Water.

\$952,299.51 was spent in 2019 by the Division of Water.

\$980,185.03 was spent in 2018 by the Division of Water.

To authorize the Director of Public Utilities to modify the construction contract with Decker Construction Company for Utility Cut and Restoration Services for the Department of Public Utilities; and to authorize the expenditure of \$500,000.00 from the Water Operating Fund. (\$500,000.00)

**WHEREAS**, one bid for the Utility Cut and Restoration Services was received and publicly opened in the offices of the Director of Public Utilities on May 8, 2019; and

**WHEREAS**, the sole bid from Decker Construction Company in the amount of \$1,531,042.50 for the first year of the contract, was deemed the lowest, most responsive, and responsible bid; and

**WHEREAS**, the original contract language allowed for a one (1) year contract with the option to renew the agreement for three (3) additional years based upon mutual agreement, availability of budgeted funds, and approval by City Council; and

**WHEREAS**, the original contract also allowed for contract modifications to add funding based upon mutual agreement of the parties, availability of budgeted funds, and approval by Columbus City Council; and

**WHEREAS**, the Department of Public Utilities previously extended the term of the contract through August 5, 2021; and

**WHEREAS**, there is a need to add additional funding in the amount of \$500,000.00 without extending the term of the contract; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Director of Public Utilities to modify the contract for Utility Cut and Restoration Services with Decker Construction Company; now, therefore

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

**SECTION 1.** That the Director of Public Utilities be and hereby is authorized to modify the construction contract for Utility Cut and Restoration Services with Decker Construction Company in accordance with the terms and conditions of the contract on file in the office of the Division of Water. Total amount of modification No. 2 is ADD \$500,000.00. Total contract amount including this modification is \$3,181,042.50. The contract has previously been extended through and including August 5, 2021.

**SECTION 2.** That said firm shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Water.

**SECTION 3.** That this modification is in accordance with the relevant provisions of Chapter 329 of City Code relating to contract modifications and renewals.

**SECTION 4.** That the expenditure of \$500,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6000 Water Operating Fund in object class 03 Services per the accounting codes in the attachment to this ordinance.

**SECTION 5.** 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 6.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.