



## Legislation Text

**File #:** 1796-2022, **Version:** 1

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to modify a professional services contract with Johnson, Mirmiran & Thompson to add additional funds for design of the UIRF - South Linden Sidewalks 2017 project.

Ordinance 2993-2017 authorized the Director of Public Service to enter into a professional services contract with Johnson, Mirmiran & Thompson for the UIRF - South Linden Sidewalks 2017 project. The intent of this contract was to provide the Department of Public Service with continuing, contractual access to additional resources that are necessary to perform various professional engineering, surveying, and technical expertise for the department to implement projects for the Department of Development through the City's Urban Infrastructure Recovery Fund (UIRF) program.

Ordinance 0011-2019 modified the contract in the amount of \$21,319.87. This was an unplanned modification. Prior to issuing the contract it was necessary to estimate the number of driveways that would not be in compliance with a pedestrian accessible route (PAR). The survey work performed by Johnson, Mirmiran & Thompson as part of the contract showed more driveways out of compliance with PAR than originally estimated, requiring more design work than planned. In addition, post-construction stormwater Best Management Practices have to be located outside of the existing right-of-way, requiring additional survey and design expenses.

Ordinance 1371-2020 modified the contract in the amount of \$40,018.23. This was an unplanned modification. Survey results revealed many driveway grades needed adjustment out of the public right-of-way, resulting in a need for right-of-way plans. Survey results also revealed that driveway approaches at eight locations partially accessed two parcels when they should access only one parcel, requiring additional design work.

This ordinance authorizes the Director of Public Service to modify the contract in the amount of \$37,564.57.

The original contract amount:	\$148,287.41	(PO096157, Ord. 2993-2017)
The total of Modification No. 1:	\$21,319.87	(PO162111, Ord. 0011-2019)
The total of Modification No. 2:	\$40,018.23	(PO242061, Ord. 1371-2020)
The total of Modification No. 3:	\$37,564.57	(This Ordinance)

The contract amount including all modifications: \$247,190.08

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Johnson, Mirmiran & Thompson.

### 2. UNPLANNED MODIFICATION

This is an unplanned modification. Roadway standards require four foot shoulder and stormwater facilities in the shoulder must be relocated. This relocation affects stormwater calculations, construction plans and right of way documents. Verification of property owners is required due to the length of time since the design commenced. This was not identified until the Stage 3 plan was submitted for review. It was deemed to be more cost efficient to modify the existing contract than to bid this part of the work.

### 3. CONTRACT COMPLIANCE

The contract compliance number for Johnson, Mirmiran & Thompson is CC009015 and expired on 2/15/20. Johnson, Mirmiran & Thompson will be contract compliant before the ordinance is read at council.

#### 4. FISCAL IMPACT

Funding in the amount of \$37,564.57 needed for the contract modification is available within the Streets and Highways Bond Fund, Fund 7704. An amendment to the 2021 Capital Improvements Budget is necessary to align budget authority with the proper project.

#### 5. EMERGENCY DESIGNATION

Emergency action is requested to prevent delays in the project schedule.

To amend the 2021 Capital Improvement Budget; to authorize the Director of Public Service to modify the contract with Johnson, Mirmiran & Thompson in connection with the UIRF - South Linden Sidewalks 2017 project; to authorize the expenditure of up to \$37,564.57 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$37,564.57)

**WHEREAS**, Ordinance 2993-2017 authorized the Director of the Department of Public Service to enter into a professional services contract with Johnson, Mirmiran & Thompson in the amount of \$148,287.41 to design the UIRF - South Linden Sidewalks 2017 project; and

**WHEREAS**, Ordinance 0011-2019 authorized a modification to the contract in the amount of \$21,319.87 to do additional design work on the project after initial survey results revealed more driveways out of compliance with a pedestrian accessible route than were originally estimated, and for additional design work to comply with stormwater Best Management Practices; and

**WHEREAS**, Ordinance 1371-2020 authorized a modification to the contract in the amount of \$40,018.23 to do additional design work to driveway grades in the project area; and

**WHEREAS**, it has been determined that stormwater facilities in the shoulder must be relocated; and

**WHEREAS**, it is now necessary to modify the contract in an amount up to \$37,564.57 to produce right-of-way plans and to perform additional design work to correct these unexpected discoveries; and

**WHEREAS**, it is necessary to amend the 2021 Capital Improvement Budget to provide budget authority for the proper project; and

**WHEREAS**, it is necessary to expend funds to pay for the contract modification; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director to modify the contract with Johnson, Mirmiran & Thompson to prevent delays in the project schedule, thereby preserving the public health, peace, safety, and welfare; **now, therefore**

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

**SECTION 1.** That the 2021 Capital Improvements Budget authorized by Ordinance 2707-2021 be amended to establish sufficient authority for this project as follows:

##### **Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

7704 / P440005-100000 / UIRF - Urban Infrastructure Recovery Fund (59-12) (Voted Carryover) / \$130,578.00 / (\$37,565.00) / \$93,013.00

7704 / P440005-100070 / UIRF - South Linden Sidewalks 2017 (Voted Carryover) / \$0.00 / \$37,565.00 / \$37,565.00

**SECTION 2.** That the Director of Public Service be, and hereby is, authorized to enter into a contract modification with Johnson, Mirmiran & Thompson, 2800 Corporate Exchange Drive, Columbus, Ohio, 43231, for the UIRF - South Linden Sidewalks 2017 project in the amount of \$37,564.57, or so much thereof as may be needed, in accordance with the plans

and specifications on file in the Department of Public Service, which are hereby approved.

**SECTION 3.** That the expenditure of \$37,564.57, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 4402 (Economic Development), Project P440005-100070 (UIRF - South Linden Sidewalks 2017), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 4.** 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 5.** 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 6.** 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 7.** 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.