



## Legislation Text

File #: 2282-2022, Version: 1

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into contract with Axis Civil Construction LLC for the Operation Safewalks - School Sidewalks - Noe Bixby (Refugee to Carbondale) project and to provide payment for construction, construction administration and inspection services.

This contract includes constructing sidewalks along the east side of Noe-Bixby Road from Refugee Road to Carbondale Drive. Installation of the sidewalk will include curb ramps, intersection striping, signal improvements, SCP facilities, drive approaches, and other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents.

The estimated Notice to Proceed date is November 04, 2022. The project was let by the Office of Support Services through Vendor Services and Bid Express. Four bids were received on August 25, 2022, (all majority) and tabulated as follows:

Company Name	Bid Amount	City/State	Majority/MBE/FBE
Axis Civil Construction LLC	\$ 405,101.07	Gahanna, OH	MAJ
Strawser Paving Company	\$ 422,177.29	Columbus, OH	MAJ
Danbert, Inc	\$ 449,485.74	Plain City, OH	MAJ
Decker Construction Company	\$ 457,755.96	Columbus, OH	MAJ

Award is to be made to Axis Civil Construction LLC as the lowest responsive and responsible and best bidder for their bid of \$405,101.07. The amount of construction administration and inspection services will be \$60,765.16. The total legislated amount is \$465,866.23.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Axis Civil Construction LLC.

### 2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for Axis Civil Construction LLC is CC029566 and expires December 9, 2023.

### 3. PRE-QUALIFICATION STATUS

Axis Civil Construction LLC 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 in the amount of \$465,866.23 is available and appropriated within Fund 7704, the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2022 Capital Improvements Budget and a transfer of funds is required to establish sufficient budget authority for the project.

### 5. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM

This contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 13% as assigned by the City's Office of Diversity and Inclusion (ODI). After ODI's review of the Utilization Plan and other related information the contractor submitted with their bid response, ODI has approved an MBE/WBE Program goal of 17.76% for this contract.

Failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance as described in the “City’s Minority and Women-Owned Business Enterprise & Small Local Business Enterprise Program Manual” and in the “City of Columbus MBE/WBE Program Special Provision” that were part of the bid documents for this contract.

## **6. EMERGENCY DESIGNATION**

Emergency action is requested in order to complete needed improvements at the earliest possible time to ensure the safety of the travelling public.

To amend the 2022 Capital Improvement budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into contract with Axis Civil Construction LLC for the Operation Safewalks - School Sidewalks - Noe Bixby (Refugee to Carbondale) project; to authorize the expenditure of up to \$465,866.23 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$465,866.23)

**WHEREAS**, the Department of Public Service is engaged in the Operation Safewalks - School Sidewalks - Noe Bixby (Refugee to Carbondale) project; and

**WHEREAS**, the work for this project consists of constructing sidewalks along the east side of Noe-Bixby Road from Refugee Road to Carbondale Drive. Installation of the sidewalk will include curb ramps, intersection striping, signal improvements, SCP facilities, and drive approaches.; and other work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents; and

**WHEREAS**, Axis Civil Construction LLC will be awarded the contract for the Operation Safewalks - School Sidewalks - Noe Bixby (Refugee to Carbondale) project; and

**WHEREAS**, the Department of Public Service requires funding to be available for the Operation Safewalks - School Sidewalks - Noe Bixby (Refugee to Carbondale) project for construction expense along with construction administration and inspection services; and

**WHEREAS**, it is necessary to amend the 2022 Capital Improvement Budget to establish authority within the correct 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**, this contract opportunity was submitted to the City’s Office of Diversity and Inclusion (ODI) for review and assignment of an MBE/WBE goal prior to bidding; and

**WHEREAS**, this contract was bid with an anticipated City of Columbus MBE/WBE Program goal of 13% as assigned by the City’s Office of Diversity and Inclusion (ODI); and

**WHEREAS**, after ODI’s review of the Utilization Plan and other related information the contractor submitted with their bid response, ODI has approved an MBE/WBE Program goal of 17.76% for this contract; and

**WHEREAS**, failure by the contractor to meet this goal subjects the contractor to the Penalties for Non-Compliance; 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 Axis Civil Construction LLC to ensure the safety of the travelling public, 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 2022 Capital Improvements Budget authorized by ordinance 1896-2022 be amended as follows to

establish sufficient authority for this project:

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

7704 / P532000-100000 / Vision Zero - Multilingual Educational Communications Campaign (Voted Carryover) / \$1,704,011.00 / (\$1,704,011.00) / \$0.00 (to match cash)

7704 / P530303-100002 / Wheatland Avenue Improvements (Voted Carryover) / \$1,920,894.00 / (\$442,392.00) / \$1,478,502 (to match cash)

7704 / P530303-100002 / Wheatland Avenue Improvements (Voted Carryover) / \$1,478,502.00 / (\$300,000.00) / \$1,178,502.00

7704 / P590955-920059 / Operation Safewalks - School Sidewalks - Refugee (Noe Bixby to Blue Moon) (Voted Carryover) / \$1,136,580.00 / (\$135,867.00) / \$1,000,713.00

7704 / P590955-910059 / Operation Safewalks - School Sidewalks - Noe Bixby (Refugee to Carbondale) (Voted Carryover) / \$30,000.00 / \$435,867.00 / \$465,867.00

**SECTION 2.** That the transfer of \$300,000.00, 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 P530303-100002 (Wheatland Avenue Improvements), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P590955-910059 (Operation Safewalks - School Sidewalks - Noe Bixby (Refugee to Carbondale)), Object Class 06 (Capital Outlay) per the account 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 services contract with Axis Civil Construction LLC, 5715 Westbourne Avenue, Columbus, Ohio 43213, for the Operation Safewalks - School Sidewalks - Noe Bixby (Refugee to Carbondale) project in the amount of up to \$405,101.07 in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to pay for necessary construction administration and inspection costs associated with the project up to a maximum of \$60,765.16.

**SECTION 4.** That the expenditure of \$465,866.23, 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 (Operation Safewalks - School Sidewalks - Noe Bixby (Refugee to Carbondale)), 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.

